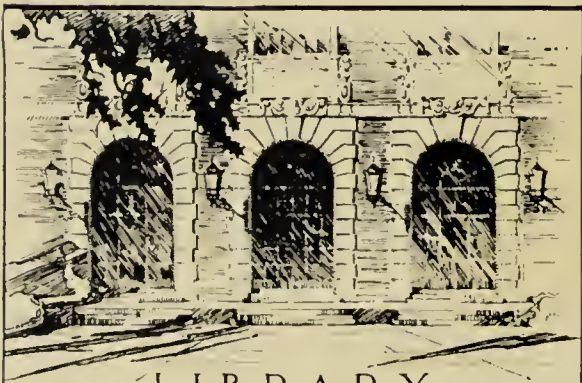




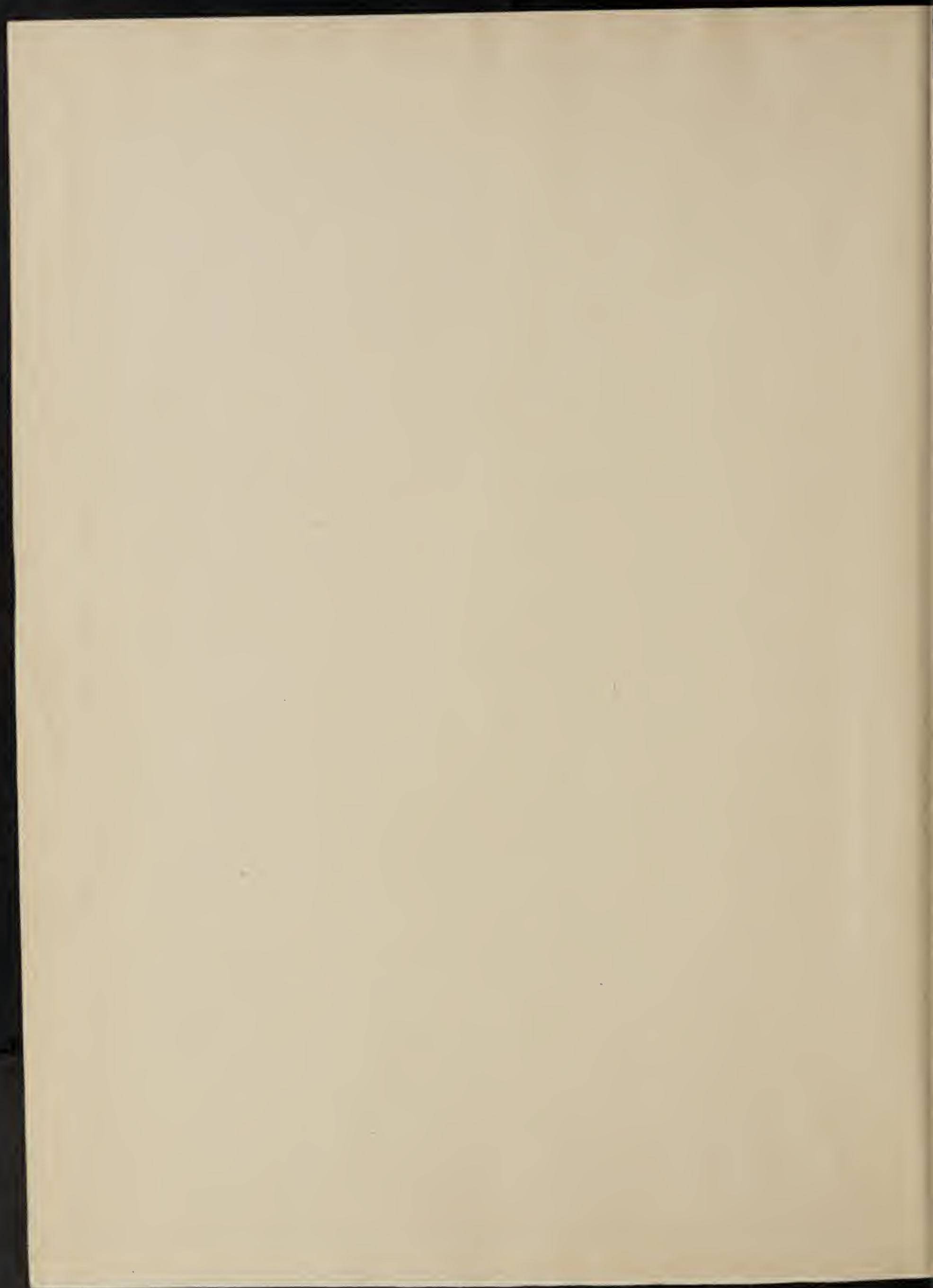


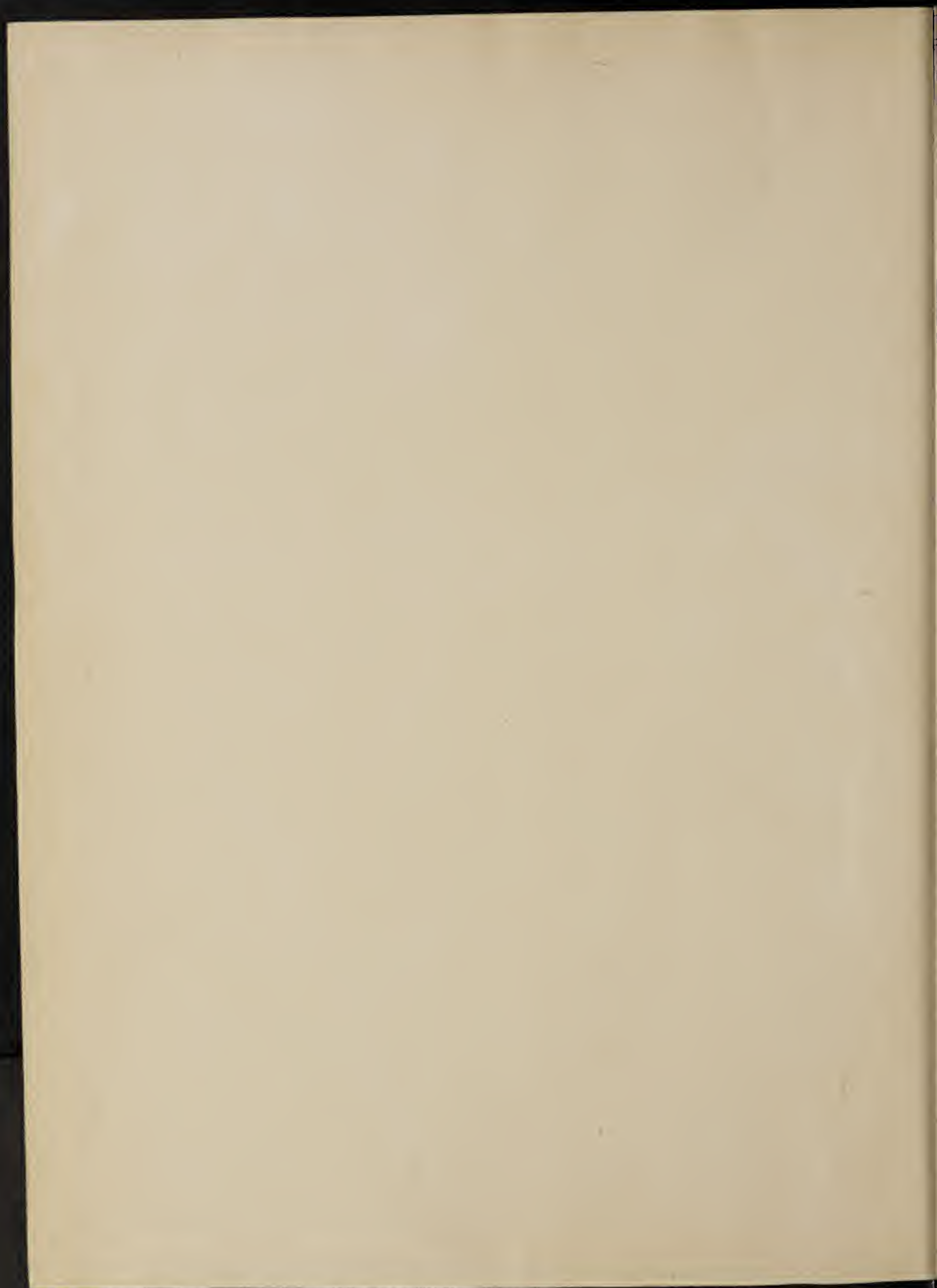
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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JULY 7, 1942

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No. 27

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION 10 A. M. TO 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.CERTIORARI ORDER SERVED ON THE BOARD
OF STANDARDS AND APPEALSOn July 1, 1942, petition and order of certiorari was served on the
Board by Philip Adelman, attorney for 87 Columbia Street
Garage, Inc., lessee, in re decision of the Board on May 26,
1942, denying under Sections 7e, 7h and 21, temporary park-
ing and storage of more than five (5) motor vehicles in a
residence use district; premises 332-344 West 44th Street,
Borough of Manhattan; Cal. No. 1307-39-BZ.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to June 30, 1942.

Cal. No. Dept.

Premises Affected.

505-42-BZ—H.B.M.—278-292 Tenth avenue, east side, between West 26th street and West 27th street, 455-463 West 26th street and 446-460 West 27th street (Block No. 724, part of Lot No. 1), Borough of Manhattan, Decision re Certificate of Occupancy.

506-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Buildings No. 40, 41, 48, 1R, 16, 30, 44, 66, 36 and Gate House); (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1 and 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2801, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (under section 35, General City Law re bed of mapped street), N. B. 840-42, N. B. 848-42, N. B. 849-42, N. B. 850-42, N. B. 851-42, N. B. 852-42, N. B. 853-42, N. B. 854-42, N. B. 855-42 and N. B. 872-42.

507-42-A—H.B.Bx.—449 East 178th street, north side, 66.47 ft. east of Park avenue (Block No. 3035, Lot No. 61), Borough of The Bronx, Alt. 360-42.

508-42-BZ—H.B.M.—457 West 48th street, north side, 175 ft. east of Tenth avenue (Block No. 1056, Lot No. 8), Borough of Manhattan, Alt. 2509-41.

509-42-A—F.D.—56 East 88th street, south side, 210 ft. 6-2/3 in. west of Park avenue (Block No. 1499, Lot No. 46), Borough of Manhattan, 31041-L. C.

510-42-BZ—H.B.Bx.—191-195 City Island avenue and 102-110 Winter street, southwest corner (Block No. 5626, Lot No. 36), Borough of The Bronx, Decision re Certificate of Occupancy.

511-42-A—H.B.Bx.—1660 Hering avenue, east side, 55.03 ft. south of Van Nest avenue (Block No. 4113, Lot No. 64), Borough of The Bronx, Amendment to Alt. 1119-41.

512-42-S—H.B.M.—8-10 East 49th street, south side, 175 ft. east of Fifth avenue (Block No. 1284, Lot No. 65), Borough of Manhattan, Alt. 841-42.

513-42-A—F.D.—214 West 26th street, south side, 170 ft. west of Seventh avenue (Block No. 775, Lot No. 48), Borough of Manhattan, 29501-L. C. and Decision.

514-42-BZ—H.B.Q.—39-11 to 39-33 Skillman avenue, north side, 100 ft. east of 39th street (Block No. 183, part of Lot No. 1), Long Island City, Borough of Queens, Misc. 2950-42.

515-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens, N. B. 840-42.

516-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (Office Building, No. 40), N. B. 848-42.

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519-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2,

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16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (2 Rectifier Stations, Nos. 1R and 16), N. B. 851-42.

520-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (Transformer Service Building, No. 30), N. B. 852-42.

521-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (Machine Shop Building, No. 44), N. B. 853-42.

522-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2602, Lot Nos. 1, 37, 40, 44 and Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44 and 50), Maspeth, Borough of Queens (Gate House Building, No. 44), N. B. 872-42.

523-42-BZ—H.B.Bx.—2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx, Alt. 192-42, Amendment.

524-42-A—H.B.Bx.—2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx, Alt. 192-42, Amendment.

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127-35-BZ—H.B.B.—115-119 Truxton street, north side, 142 ft. 9 $\frac{3}{4}$ in. west of Conway street (Block No. 1544, Lot Nos. 42 and 44), Borough of Brooklyn, N. B. 2548-41.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

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Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
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JULY 7, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, July 7, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

812-41-BZ—Application, September 19, 1941, under sections 7e and 21 of the zoning resolution, of Lama and Proskauer, applicants, on behalf of C. J. Neumann Realty Corporation, owner, to permit partly in a business use and partly in a residence use district, the reconstruction and extension of a gasoline service station; premises 1916-1922 Flatbush avenue and 3822-3832 Avenue L, southwest corner (Block No. 7815, Lot Nos. 32 and 35), Borough of Brooklyn.

704-41-BZ—Application, July 31, 1941, under section 7h of the zoning resolution, of Max Horn, applicant, on behalf of Edward W. Stellges, owner, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 137 Beach 67th street, west side, 161.78 ft. north of Boardwalk and 138 Beach 68th street (Block No. 360, Lot No. 85 and part of Lot No. 12), Arverne, Borough of Queens.

77-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Anagal Realty Company, Incorporated, owner, reopened November 5, 1941, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the maintenance and the extension of a gasoline service station (previously granted by the Board for a temporary period); premises 181-07 Horace Harding boulevard, northeast corner of Utopia parkway (Block No. 7065, Lot No. 5), Flushing, Borough of Queens.

213-42-BZ—Application, March 18, 1942, under sections 7e and 21 of the zoning resolution, of William S. Worrall, Jr., applicant, on behalf of Cord Meyer Development Company, owner (Forest Hills Material Company, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 69-02 to 69-40 Austin street and 102-30 to 102-38 69th (Stafford) avenue, southeast corner (Block No. 3234, Lot No. 110 and part of Lot No. 150), Forest Hills, Borough of Queens.

228-42-BZ—Application, March 20, 1942, under section 7h of the zoning resolution, of Thomson Hill Land and Improvement Company, applicant and owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 39-16 48th avenue, southwest corner of 39th place (Block No. 206, Lot No. 18), Long Island City, Borough of Queens.

10-42-BZ—Application, January 5, 1942, under section 7f of the zoning resolution, of Frank C. Keller, applicant, on behalf of Lina S. Kissam, owner, to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, Lot Nos. 37 and 45 and Block No. 10789, Lot Nos. 37, 38 and 43), Queens Village, Borough of Queens.

283-42-BZ—Application, April 6, 1942, under section 7h of the zoning resolution, of Abraham J. Halprin, applicant, on behalf of Hortense C. Badman, executrix of Estate of Theodore Badman, owner, to permit in a residence use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles; premises 222-228 East 34th street, south side, 275 ft. east of Third avenue (Block No. 914, Lot Nos. 46 to 49, inclusive), Borough of Manhattan.

807-40-BZ—Application of Richard Stiegler, applicant and owner, reopened March 31, 1942, under sections 7f and 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied); premises 1168-1184 River avenue, east side, 129 ft. north of McClellan street (Block No. 2488, part of Lot Nos. 1 and 12), Borough of The Bronx.

276-42-BZ—Application, April 1, 1942, under section 7e of the zoning resolution, of Joseph B. Lynch, applicant, on behalf of Louis Iervolino and Thomas Iervolino, owners, to permit in a residence use district, the reconstruction and change of occupancy of an existing garage building to a gasoline service station; premises 81 Rapelye street, northwest corner of Hicks street (Block No. 363, Lot No. 38), Borough of Brooklyn.

1029-41-BZ—Application, November 27, 1941, under section 7c of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation and Staten Island Rapid Transit Railroad Company, owners, to permit in a business use district, the extension and reconstruction of an existing gasoline service station; premises 263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond.

Appeals from Administrative Decisions.

432-42-A—263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond.

495-42-A—263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond (under section 35, General City Law—re bed of mapped street).

HARRIS H. MURDOCK, *Chairman.*

JULY 7, 1942, 2 P. M.

Appeals from Administrative Decisions.

248-42-A—149-151 East 34th street, north side, 250 ft. west of Third avenue (Block No. 890, Lot No. 34), Borough of Manhattan.

384-42-A—40 Hopkins street, south side, 400 ft. west of Marey avenue (Block No. 1724, Lot No. 25), Borough of Brooklyn.

308-42-S—114-124 Troutman street, east side, 210 ft. 6 in. south of Central avenue (Block No. 3184, Lot No. 19), Borough of Brooklyn.

458-42-A—74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot No. 23), Jackson Heights, Borough of Queens.

480-42-A—544 West 43rd street, south side, 175 ft. east of 11th avenue (Block No. 1071, Lot Nos. 54 to 57, inclusive), Borough of Manhattan.

449-42-A—654 Powell street, west side, 110 ft. 5 in. south of New Lots avenue (Block No. 3862, Lot No. 22), Borough of Brooklyn.

450-42-S—654 Powell street, west side, 110 ft. 5 in. south of New Lots avenue (Block No. 3862, Lot No. 22), Borough of Brooklyn.

456-42-A—307-313 Kingsland avenue, west side, 135 ft. south of Norman avenue (Block No. 2657, Lot No. 13), Borough of Brooklyn.

Appliances and Materials for Approval.

317-36-SA—Dempsey Industrial Oil Burner.

346-42-SA—"Empyre" and "Stop-Fire" Stirrup Type Water Spray Pump.

372-42-SA—"Fire Smoother" (Rock Powder Fire Extinguisher).

79-40-SM—Green Bag Non-Staining Waterproofed Masonry Cement.

CALENDAR

728-41-SM—Bondlite (for interiors) and Exterior Bondlite (penetrating and bonding oil paints).

980-41-SM—John Wood 275 Gallon Basement Obround Fuel Oil Tank.

250-42-SM—Adjusta-Post (Jack Column).

JULY 14, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, July 14, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

265-42-BZ—Application, March 31, 1942, under section 7h of the zoning resolution of Max Horn, applicant, on behalf of Long Island Railroad Company, owner (Merchants Association of Far Rockaway, Incorporated, lessee), to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 21-10 New Haven avenue (Clark street), north side, 100 ft. east of Beach 22nd (White) street, 21-11 and 21-12 Cornaga avenue, north and south sides, 103 ft. east of Beach 22nd (White) street, along Long Island Railroad, running through to Far Rockaway boulevard (Block No. 214, Lot No. 6—parking lot "B" and Block No. 215, Lot No. 7—parking lot "A"), Far Rockaway, Borough of Queens.

705-41-BZ—Application, July 31, 1941, under section 7h of the zoning resolution, of Max Horn, applicant, on behalf of Idella R. Koechel, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 170 Beach 105th street, northeast corner of Shore Front parkway (Block No. 643, Lot Nos. 10, 17 and 18), Rockaway Beach, Borough of Queens.

706-41-BZ—Application, July 31, 1941, under section 7h of the zoning resolution, of Max Horn, applicant, on behalf of Viola Murtha, owner, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 115-117 Beach 96th street, northwest corner of Shore Front parkway (Block No. 635, Lot No. 76), Rockaway Beach, Borough of Queens.

845-41-BZ—Application, September 30, 1941, under section 7h of the zoning resolution of Max Horn, applicant, on behalf of Brooklyn Trust Company (as trustee), owner, to permit partly in a residence use and partly in a business use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 14-07 Seagirt avenue and 121 Beach 14th street, southwest corner (Block No. 149, part of Lot No. 1), Far Rockaway, Borough of Queens.

260-42-BZ—Application, March 30, 1942, under section 7h of the zoning resolution, of Clayton G. Shirkey, applicant, on behalf of Mollie Lilienfeld, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 36-02 Sprayview avenue and 111 Beach 36th street, northwest corner (Block No. 317, part of Lot Nos. 83 and 87), Edgemere, Borough of Queens.

315-42-BZ—Application, April 15, 1942, under section 7h of the zoning resolution, of Clayton G. Shirkey, applicant, on behalf of Long Island Railroad Company, owner (88th Street Garage Corporation, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 219 Beach 88th street, west side, 184 ft. north of Rockaway Beach boulevard and 220 Beach 90th street (Block No. 574, Lot No. 4), Rockaway Beach, Borough of Queens.

117-42-BZ—Application, February 10, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Angelina Baldi, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1433-1435 De Kalb avenue, west side, 275 ft. north of Wilson avenue (Block No. 3235, Lot No. 44), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 14, 1942, 2 P. M.

Appeals from Administrative Decisions.

171-42-A—60-29 Catalpa avenue, north side, 169.10 ft. west of 60th lane (Block No. 3514, Lot No. 47), Ridgewood, Borough of Queens (under section 60, Multiple Dwelling Law) re installation of the sprinkler system in a proposed tenant garage in a multiple dwelling.

506-42-A—47-19 Grand avenue, entire area, bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Buildings Nos. 40, 41, 48, 1R, 16, 30, 44, 66, 36 and Gate House); (Block No. 2257, Lot Nos. 2, 16 and 31; Block No. 2256, Lot Nos. 60, 61, 63, 150, 153 and 155; Block No. 2235, Lot Nos. 1, 225, 300 and 330; Block No. 2236, Lot Nos. 70, 75 and 30; Block No. 2588, Lot Nos. 1 and 50; Block Nos. 2589, 2590, 2595, 2603, 2604, 2605 and 2606, Lot No. 1; Block Nos. 2591, 2592, 2593 and 2594, Lot Nos. 1 and 34; Block No. 2596, part of Lot No. 1; Block No. 2600, Lot Nos. 1 and 45; Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44 and 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (under section 35, General City Law—re beds of the following mapped streets: 47th street (Rogers street), 48th street (Gilbert street), 49th street (Owens street), 50th street (Rice street), 51st street (Simpson street), 52nd street (Richey street), 53rd street (Sophie street), 54th street (Garrison street), Maspeth avenue, 49th street (Munich street), 49th place (Bremen street), 50th street (Berlin avenue) and 57th avenue (Creek avenue—Hanover avenue); (aluminum plant).

Appliances and Materials for Approval.

373-42-SA—Handy Folding Pail Co., Inc., Handy Folding Water Bucket, 10 and 12 Quart capacity.

170-42-SM—Inselbric.

454-41-SM—Superior One Hour Hollow Steel Fire Door.

779-41-SM—Certain-Teed Gypsteel Precast Short Span Gypsum Roof Slabs (3" x 12" x 30" solid).

JULY 21, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, July 21, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

465-42-BZ—Application, June 11, 1942, under sections 7a and 7c of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of 8302 Atlantic Avenue Corporation, owner, to permit in a residence use district, the extension of an existing factory building by the construction and use of a new cellar; premises 83-02 to 83-20 Atlantic avenue, 94-01 to 94-15 83rd street, southeast corner and 94-02 to 94-16 84th street (Block No. 9014, Lot Nos. 1 and 11), Ozone Park, Borough of Queens.

177-42-BZ—Application, March 4, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of John F. McKenna, owner, to permit partly in a business use and partly in a residence use district, for a

CALENDAR

term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 582-610 86th street, southeast corner of Gatling place (Block No. 6054, Lot Nos. 19, 20, 22 and 27), Borough of Brooklyn.

371-42-BZ—Application, May 7, 1942, under sections 7f and 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Underwriters Trust Company (as trustee), owner (Bertha Friedman, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 6301-6323 11th avenue, east side, from 63rd to 64th streets. 1102-1112 63rd street and 1101-1111 64th street (Block No. 5738, Lot No. 1), Borough of Brooklyn.

406-41-BZ—Application, May 5, 1941, under section 7e of the zoning resolution, of A. Paul Loshen, applicant, on behalf of Samuel Litt, owner, to permit in a business use district, for a term of two (2) years, the erection of a lumber shed and the use of the premises as an office in connection with the lumber yard; premises 218-35 to 218-41 Hempstead avenue, north side, 195.50 ft. west of Springfield boulevard (Block No. 10766, Lot No. 47), Laurelton, Borough of Queens.

542-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Hagan, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 936 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

314-42-BZ—Application, April 15, 1942, under section 7h of the zoning resolution, of Union Parking Corporation, applicant and lessee, on behalf of Dry Dock Savings Institution, owner, to permit in a retail-1 use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 122-126 West 48th street, south side, 245 ft. west of Sixth avenue (Block No. 1000, Lot No. 43), Borough of Manhattan.

140-42-BZ—Application, February 18, 1942, under section 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of Anton Escherich, owner, to permit in a business use district, the erection and maintenance of a six (6) car garage on the same plot with an existing four (4) car garage; premises 2851-2853 Bailey avenue, west side,

498 ft. south of West 230th street (Block No. 3264, Lot No. 63), Borough of The Bronx.

1101-41-BZ—Application, December 23, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit partly in a business use and partly in an unrestricted use district, the reconstruction of an existing gasoline service station; premises 451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn.

Appeals from Administrative Decisions.

481-42-A—451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn.

11-42-A—220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, parts of Lot Nos. 37 and 45 and Block No. 10789, Lot Nos. 38 and 43), Queens Village, Borough of Queens (under section 35, General City Law—re bed of mapped street—proposed 96th avenue).

HARRIS H. MURDOCK, *Chairman.*

JULY 28, 1942, 10 A. M.

Zoning Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, July 28, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

1052-41-BZ—Application, December 4, 1941, under section 7c of the zoning resolution, of Frank Straub, on behalf of Frederick Figge Company, owner, to permit in a business use district, the conversion of occupancy of an existing building to factory use; premises 300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

Appeal from Administrative Decision.

456-42 S—300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEEETING

TUESDAY MORNING, JUNE 30, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meeting of the Board held on Tuesday morning, June 23, 1942, and the minutes of the regular meeting of the Board held on Tuesday afternoon, June 23, 1942, were approved as printed in Bulletin No. 26, Vol. 27.

ZONING CASES.

704-41-BZ.

APPLICANT—Max Horn, for Edward W. Stellges, owner.
SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—137 Beach 67th street, west side, 161.78 ft. north of Boardwalk and 138 Beach 68th street (Block No. 360, Lot No. 85 and part of Lot No. 12), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn and Solomon Goldberg.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 7, 1942 at 10 A. M. for representative of owner to furnish additional information and for further consideration by the Board.

796-41-BZ.

APPLICANT—Lama and Proskauer, for Elizabeth Murphy, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the extension of an existing gasoline service station.

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PREMISES AFFECTED—207-07 to 207-19 Linden boulevard, north side, 197.46 ft. west of Springfield boulevard (Block No. 11082, Lot Nos. 3, 6 and 8), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lania and Edward J. Murphy.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Placed on reserve calendar, pending definite decision by City Planning Commission and Board of Estimate as to opening of Nashville boulevard.

1052-41-BZ

APPLICANT—Frank Straub, for Frederick Figge Company, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the conversion of occupancy of an existing building to factory use.

PREMISES AFFECTED—300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Straub.

ACTION OF BOARD—Laid over to July 28, 1942, at 10 A. M. for applicant to renotify affected property owners by registered mail not later than July 16, 1942.

1106-17-BZ.

APPLICANT—William F. Regan, for Helen I. Doyle, owner (Ola Jones, lessee).

SUBJECT—Application reopened March 3, 1942 (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the conversion of occupancy of part of an existing building to a motor vehicle repair shop (this building was previously acted upon by the Board).

PREMISES AFFECTED—137 Jefferson avenue, north side, 450 ft. west of Nostrand avenue (Block No. 1827, Lot No. 82), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. F. Doyle.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative: 0

THE RESOLUTION (1106-17-BZ)

WHEREAS, this application, to permit in a residence use district the maintenance of a motor vehicle repair shop, premises: 137 Jefferson avenue, north side, 450 ft. west of Nostrand avenue (Block No. 1827, Lot 82), Borough of Brooklyn, was granted by the Board September 11, 1917; and

WHEREAS, William Regan, for Helen I. Doyle, owner, requested reopening of the application, under section 21 of the zoning resolution, to permit in a residence use district, the conversion of occupancy of part of said building to a motor vehicle repair shop; and

WHEREAS, this application was reopened by vote of the Board March 3, 1942, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jefferson avenue and Putnam

avenue are each in residence and business use districts; Nostrand avenue and Bedford avenue are in business use districts; and

WHEREAS, the decision of the borough superintendent dated February 10, 1942, re B. N. Application No. 2745-1941, reads:

"This occupancy as motor vehicle repair shop was discontinued as per records of Fire Department. This application to occupy this building as a motor vehicle repair shop and which is located in a residential use district is contrary to Art. 2, Sect. 3 of the zoning resolutions."

and

WHEREAS, the existing building is of Class 3 construction, 25 ft. front by 57 ft. 10 in. in depth and two stories in height. It is proposed to use the 1st story of the existing building as a motor vehicle repair shop, with the 2nd story to be used for residential use; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted, under section 21 thereof, for a term of five (5) years from the date of this resolution, to permit the occupancy of the street floor of the building as a garage for five (5) cars and for motor vehicle repairing with hand tools only, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

707-41-BZ.

APPLICANT—Max Horn, for Leo H. Rich, owner (Nathan Zucker, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—34-21 Sprayview avenue, southeast corner of Beach 35th street (Block No. 306, Lot No. 1), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn, Lazarus Zucker and Isidore Zucker.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative: 0

THE RESOLUTION (707-41-BZ)

WHEREAS, Max Horn, for Leo H. Rich, owner (Nathan Zucker, lessee), filed on July 31, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 34-21 Sprayview avenue, southeast corner of Beach 35th street (Block No. 306, Lot No. 1), Edgemere, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the borough superintendent, dated July 9, 1941, re Misc. Applic. 6212-41, reads:

"The use of these premises for the parking of motor vehicles in a residence district is contrary to Art. 2,

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Sec. 3 of the Zone Resolution.
Not further considered."

and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 35th street and Beach 34th street are each in residence and business use districts; Sprayview avenue is in a residence use district; Boardwalk is in a business use district; and

WHEREAS, the premises consist of a plot of ground having a frontage of 155 ft. on Beach 35th street and 120 ft. on Sprayview avenue. There is a candy stand and office (12 ft. by 20 ft. in area) on the site. It is proposed to use the premises, for a term of two (2) years, for the parking of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, to permit the premises to be occupied for the parking and storage of motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so parked or stored and only motor vehicles in condition for operation; that the plot shall be leveled substantially to the grade of Sprayview avenue and Beach 35th street and shall be surfaced with adequate material; that adequate fences shall be maintained on the interior lot lines and street building lines except for an entrance to the premises from Beach 35th street; that such entrance shall not exceed 15 ft. in width; that during the term of the permit the premises shall be occupied for no other use than that herein permitted; that no building shall be erected except the existing one story frame building may be continued; that no signs shall be erected on the premises except there may be a sign attached to the fence advertising the parking and storage use and the rates charged; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within one (1) month from the date of this resolution.

742-41-BZ.

APPLICANT—Clayton G. Shirkey, for Simyron Realty Company, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—115-123 Beach 29th street, west side, 140 ft. south of Lewmay road (Block No. 301, Lot Nos. 38 and 42), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Shirkey and Simon Katz.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn... 4
Negative: 0

THE RESOLUTION (742-41-BZ)

WHEREAS, Clayton G. Shirkey, for Simyron Realty Company, owner, filed on August 22, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises

115-123 Beach 29th street, west side, 140 ft. south of Lewmay road (Block No. 301, Lot Nos. 38 and 42), Edgemere, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 29th street, Beach 30th street and Lewmay road are in residence use districts; and

WHEREAS, the decision of the borough superintendent dated August 8, 1941, re Misc. Application No. 7197-1941, reads:

"4. Use of premises located in a residence district for parking and storage of motor vehicles is contrary to Sec. 3 of Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 160 ft. with a depth of 104 ft. Upon the plot are located two 3-story frame multiple dwellings. It is proposed to use the central portion of the plot having a frontage of 30 ft. and a depth of 104 ft., for a term of two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for the parking and storage of motor vehicles, *on condition* that only those of the pleasure car type shall be so stored and parked and only such motor vehicles as are owned by the guests of the hotel and their visitors; that the plot, with a frontage of 30 feet on Beach 29th street shall be leveled substantially to the grade of Beach 29th street and surfaced with adequate material; that no parking shall be permitted nearer than 10 feet to the adjoining Class B multiple dwellings; that an adequate fence shall be maintained on the interior lot lines to the north and east and along the street building line, except for an entrance not over 15 feet in width; that during the term of this permit this portion of the lot shall be used for no other use than as herein permitted and no signs shall be erected thereon except there may be a sign attached to the fence near the entrance, reading "For Use of Guests of the Hotels Edgewater and Claremont only."; that all permits required shall be obtained and all work completed within one month from the date of this resolution.

790-41-BZ.

APPLICANT—Lama and Proskauer, for Herman H. Behn, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 21 and 7c of the zoning resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—112-16 to 112-18 101st avenue, southwest corner of 113th street (Block No. 9430, Lot No. 7), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Herman H. Behn.

For Opposition: Elmer Peters.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn... 4
Negative: 0

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THE RESOLUTION (790-41-BZ)

WHEREAS, Lama and Proskauer, for Herman H. Belm, owner, filed on September 16, 1941, an application under sections 21 and 7c of the zoning resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 112-16 to 112-18 101st avenue, southwest corner of 113th street (block No. 9450, Lot No. 7), Richmond Hill, Borough of Queens; and

WHEREAS, a public hearing was held by the Board at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 101st avenue is in a business use district; 113th street and 112th street are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent dated September 12, 1941, re Misc. Application No. 8047-1941, reads:

"1. The extension of the area devoted to automobile repair work, in a building located in a business district is contrary to Article 2, sec. 4, subsec. 29, of the Zoning Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. on 101st avenue and 100 ft. on 113th street. Upon the south part of the premises there are located six concrete block buildings. The applicant states that 5 of these buildings are used as garages. Upon the 101st avenue front of the premises there is a one-story, Class 3 building 50 ft. by 50 ft. in area. It is proposed to use this building as a motor vehicle repair shop, and also, to maintain the individual garages for 5 motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision i, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7-i thereof, for a term of three (3) years, to permit the continuation of minor repairing with hand tools, painting and radiator repairing in the westerly store, having a frontage of approximately 30 feet on 101st avenue, *on condition* that the corner store, with a frontage of 20 feet, shall be occupied only for conforming use; that there shall be no physical connection between the two stores; that the premises shall be made to comply with the requirements for a motor vehicle repair shop and no repairing or painting or other surfacing work on motor vehicles shall be done elsewhere on the premises or on the surrounding streets; that the entrance to the repair shop for motor vehicles may be from the rear south through the rear yard; that the existing garages facing on 113th street shall be re-equipped with doors of the overhead type so as not to extend when opened beyond the building line; that any signs advertising the motor vehicle repair shop shall be limited to a sign not over 15 sq. ft. in area, attached to the front of the building facing 101st avenue; that upon the termination of this variance the motor vehicle repair work shall be discontinued and the building shall be occupied only for conforming use; that all permits required shall be obtained and all work completed within two (2) months from the date of this resolution.

831-41-BZ.

APPLICANT—Max Horn, for Ocean-Gold Realty Corporation, owner (Ocean Edge Baths-Hannah Peck, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—34-01 Sprayview avenue, southwest corner of Beach 34th street (Block No. 306, Lot No. 7), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn and Hannah Peck.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (831-41-BZ)

WHEREAS, Max Horn, for Ocean-Gold Realty Corporation, owner (Ocean Baths-Hannah Peck, lessee), filed on September 26, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 3401 Sprayview avenue, southwest corner of Beach 34th street (Block No. 306, Lot No. 7), Edgemere, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sprayview avenue is in a residence use district; Beach 34th street and Beach 35th street are each in residence and business use districts; Boardwalk is in a business use district; and

WHEREAS, the decision of the borough superintendent, dated September 17, 1941, re Misc. App. 6776-41, reads:

"1. Parking of motor vehicles in a residence use district is contrary to Art. 2, Sec. 3 of the Zoning Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. on Beach 34th street and 120 ft. on Sprayview avenue. It is proposed to use the premises, for a term of two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years, to permit the premises to be occupied for the transient parking of motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so parked; that this use shall be solely for the convenience of the customers of the adjoining bath building under same ownership; that the plot shall be leveled substantially to the grade of Sprayview avenue and Beach 34th street and surfaced with adequate material; that substantial fences shall be maintained on the interior lot lines and the street building line where walls of adjoining buildings do not occur, except for an entrance from Beach 34th street not over 15 ft. in width; that no signs shall be erected on the premises except one sign stating that this lot is solely for the use of the customers of the adjoining bath house; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution.

1004-41-BZ.

APPLICANT—A. A. Forman, 3rd, for Dougland Homes Corporation, owner (Frederick Cornelius, lessee).

SUBJECT—Application (re decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the

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reconstruction and extension of a gasoline service station.

PREMISES AFFECTED—175-42 137th avenue and 137-04 Farmers boulevard, southwest corner (Block No. 3237, part of Lot No. 24), Springfield Gardens, Borough of Queens.

APPEARANCES—

For Applicant: A. A. Forman, 3rd, and S. L. Malkind.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (1004-41-BZ)

WHEREAS, A. A. Forman, 3rd, for Dougland Homes Corporation, owner (Frederick Cornelius, lessee), filed on November 21, 1941, an application under sections 7c and 21 of the zoning resolution, to permit in a business use district, the reconstruction and extension of a gasoline service station; premises 175-42 137th avenue, and 137-04 Farmers boulevard, southwest corner (Block No. 3237, part of Lot No. 24), Springfield Gardens, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Farmers boulevard is in business and unrestricted use districts; 137th avenue and 138th avenue are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent dated November 7, 1941, and as amended April 9, 1942, reads:

"1. The extending of a gasoline service station in a business district is contrary to Art. 2, Sec. 4a and Sec. 6 of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 80 ft. on Farmers boulevard, 109 ft. on 137th avenue and a distance of 79.8 ft. along the west lot line, occupied in part as a gasoline service station. The area of the (legal) gas station on the site, according to Fire Department records, is 67.62 ft. on Farmers boulevard, 109.4 ft. on 137th avenue, 109.4 ft. along the south lot line, 54.5 ft. along the west lot line and 109.4 ft. on 137th avenue. It is proposed to add a one story extension (27 ft. by 23 ft. in area) to the accessory building and to use the entire premises as a gasoline service station; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7, subdivision c thereof, to permit the rearrangement and reconstruction of the legally existing gasoline station, on condition that it shall be reconstructed and rearranged in substantial compliance with the revised plans marked "Received June 26, 1942" and that the proposed extension to the existing accessory building shall be of the design and construction as indicated; that the ceiling shall be fire-retarded throughout in accordance with the rules of the Board; that the roof shall be weather-surfaced with approved asphalt shingles matching the shingles on the existing accessory building; that the fence as indicated on the interior lot line shall be constructed of the design shown with wood pickets, masonry base and brick piers located approximately 20 ft. on centers, except that such piers may be reduced to a horizontal area of 12 in. by 12 in.; that

the plot where not occupied by accessory buildings and proposed planting as indicated shall be cement paved or surfaced with crushed bluestone, treated with a binder so as to render a reasonably impervious surface; that any existing gasoline pumps nearer than 10 feet to the street building line shall be removed and no pumps shall be nearer than 10 feet to the street building line; that curb cuts shall be limited to two (2) to Farmers boulevard, not over 21 ft. in width each and one (1) to 137th avenue, not over 27 ft. in width; that the planting area as shown on the rear and to the south shall be protected with concrete curbing not less than 6 in. by 6 in. section; that no signs shall be erected on the premises, except there may be a permanent sign attached to the accessory building and the illuminated globes of the pumps, precluding all roof signs and temporary signs, but permitting the erection within the building line near the intersection of a post standard for supporting a sign which may be illuminated, advertising the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not over 4 feet; that a block of concrete shall be maintained, as shown, at the intersection; that the area to the rear marked "sodded and planted" shall be so maintained and not used for the storage of motor vehicles or other material; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

110-42-BZ.

APPLICANT—Gabriel Nathan, for Brooklyn Trust Company, owner (Ideal Hotel Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles, for the use of the guests only, of the hotel on the premises.

PREMISES AFFECTED—110-120 Beach 30th street, east side, 220 ft. south of Lewmay road (Block No. 301, Lot No. 1), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Shirkey and Hyman Hirsch.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (110-42-BZ)

WHEREAS, Gabriel Nathan, for Brooklyn Trust Company, owner (Ideal Hotel Corporation, lessee), filed on February 6, 1942, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles, for the use of guests only, of the hotel on the premises; premises 110-120 Beach 30th street, east side, 220 ft. south of Lewmay road (Block No. 301, Lot No. 1), Edgemere, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 30th street, Beach 29th street and the Boardwalk are in residence use districts; and

WHEREAS, the decision of the borough superintendent, dated February 5, 1942, re Misc. App. No. 502-42, reads:

"Building at the above location is known on the Dept. records as #110 Beach 30th street, include same in application Sec. 300.

2. Building at the above location is recorded as a Class B multiple dwelling—open parking and storage of motor vehicles on the same premises with a multiple dwelling is contrary to sec. 58 and sec. 60 M.D.L.

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3. The above premises is located in a 'residence' district under the Building Zone Resolution—open parking and storage of motor vehicles in a residence district is contrary to article 2—sec. 3 of the Building Zone Resolution.

Not further examined."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 330 ft. and a depth of 103 ft. Upon the plot there are located a frame hotel, and bath house lockers. It is proposed to use the north part of the premises, having a frontage of 75 ft., for a term of 2 years, for the parking and storage of more than five (5) motor vehicles for the use of the guests only of the hotel on the premises; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for the parking and storage of motor vehicles, *on condition* that only those of the pleasure car type shall be so stored and parked and only such motor vehicles as are owned by the guests of the hotel and their visitors; that the plot, with a frontage of 75 feet on Beach 30th street shall be leveled substantially to the grade of Beach 30th street and surfaced with adequate material; that no parking shall be permitted nearer than 10 feet to the adjoining Class B multiple dwelling; that an adequate fence shall be maintained on the interior lot lines to the north and east and along the street building line, except for an entrance not over 15 feet in width; that during the term of this permit this portion of the lot shall be used for no other use than as herein permitted and no signs shall be erected thereon except there may be a sign attached to the fence near the entrance, reading "For Use of Guests of the Hotel Shelbourne Only."; that all permits required shall be obtained and all work completed within one month from the date of this resolution.

190-42-BZ.

APPLICANT—Lama and Proskauer, for Ten Security Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—7602-7622 New Utrecht avenue and 1638-1641 76th street, southwest corner (Block No. 6236, Lot No. 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Sam Schwartz.

For Opposition: Gilbert Kanter and Paul Rock.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (190-42-BZ)

WHEREAS, Lama and Proskauer, for Ten Security Corporation, owner, filed on March 10, 1942 an application under sections 7h and 21 of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 7602-7622 New Utrecht avenue and 1638-1644 76th street, southwest corner (Block No. 6236, Lot No. 23), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that New Utrecht avenue and 16th avenue are in business use districts; 76th street and 77th street are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, dated March 2, 1942, on B. N. Applic. No. 382-42, reads:

"1. Proposed parking and storage for more than five (5) motor vehicles in a business use district is contrary to Art. 11, Sec. 4 (a) 15 of the Zoning Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 200 ft. on New Utrecht avenue, 76 ft. on 76th street and a distance of 105 ft. along the south lot line. It is proposed to use the plot, for a term of two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years, to permit the premises to be occupied for the storage and parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so parked and stored and only those in condition for operation; that the plot shall be leveled substantially to the grade of New Utrecht avenue and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and treated with a binder so as to provide a reasonably impervious surface and graded so as to provide surface drainage; that on the interior lot lines where brick walls of adjoining buildings do not occur, there shall be located a substantial wood picket fence not less than 5 feet 6 inches in height; that a similar fence shall be erected on the street building lines continuously except for an entrance to New Utrecht avenue, which shall be not more than 15 ft. in width; that adequate bumpers shall be maintained against all fences for protection to same; that no cars shall be parked or stored within ten (10) feet of the lot lines of the adjoining residential occupancies; that during the term of this permit the premises shall be occupied for no other use than that permitted herein and no building shall be erected thereon, except there may be one building erected not over one story in height and 100 sq. ft. in area to be used solely for shelter for the attendant; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that adequate aisles shall be maintained at all times for easy entrance and egress; that no signs shall be erected on the premises, except there may be a sign attached to the fence at the entrance, advertising only the storage and parking use and the rates charged, provided said sign does not extend over the building line, is not illuminated and does not exceed 15 sq. ft. in area; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

252-42-BZ.

APPLICANT—Paul Friedman, for Welz and Zerweck, owner (Sebastiano Simone, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, for a term of two (2) years, the maintenance of a frame building for the storage of six (6) motor vehicles and, also, the parking and storage of more than five (5) motor vehicles.

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PREMISES AFFECTED—159-173 Onderdonk avenue and 1851-1859 Troutman street, northwest corner (Block No. 3394, Lot No. 1), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman and Sebastiano Simone.

For Opposition: Saul S. Brin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4
Negative: 0

THE RESOLUTION (262-42-BZ)

WHEREAS, Paul Friedman, for Welz and Zerweck, owner (Sebastiano Simone, lessee), filed on March 31, 1942, an application under section 7f of the zoning resolution, to permit in a business use district, for a term of two years, the maintenance of a frame building for the storage of six (6) motor vehicles, and also, the parking and storage of more than five (5) motor vehicles; premises 159-173 Onderdonk avenue and 1851-1859 Troutman street, northwest corner (Block No. 3395, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Onderdonk avenue is in business and unrestricted use districts; Troutman street is in residence and business use districts; Flushing avenue is in unrestricted and business use districts; and

WHEREAS, the decision of the borough superintendent, dated March 25, 1942, re Alt. Application No. 375-1942, reads:

"The proposed garage for and the parking and storage of more than five (5) motor vehicles and office in a business district is contrary to Sec. 4(15) of the Zone Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 160 ft. on Onderdonk avenue and 100 ft. on Troutman street. Upon the plot there is located a one-story frame building, 18 ft. by 48 ft. in area. It is proposed to use this shed for a term of two (2) years, for the storage of six (6) motor vehicles, and, for a term of two (2) years, to use the remainder of the plot for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type and those in condition for operation shall be parked or stored; that the plot shall be leveled and shall be surfaced with steam cinders, clean gravel or other suitable material properly rolled and bound so as to render a reasonably impervious surface and so as to provide surface drainage; that adequate fences, not less than five feet six inches in height, which may be of board or picket design, shall be maintained at the interior lot lines and street building lines with no openings therein except two to Onderdonk avenue, not over 15 ft. in width, with curb cuts opposite not exceeding a similar width; that during the term of this permit the premises shall be occupied for no other use than the use herein permitted and no

building shall be erected thereon except there may be erected a one-story building solely for office and shelter for the attendant, provided such building does not exceed 100 sq. ft. and is not over 1 story in height, which may be of frame and is located near one of the entrances; that the existing garage shed shown for 6 cars shall be entirely removed; that the fences shall be kept in good repair and kept painted; that adequate bumpers shall be maintained for the protection of fences; that no signs shall be erected on the premises except there may be a sign attached to the fence advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft., is not illuminated, and does not extend beyond the building line; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

375-42-BZ.

APPLICANT—Ernst Pfeiffer, for Risap Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the erection and maintenance of an electric sign on a proposed marquee to be attached to a Class B multiple dwelling (hotel).

PREMISES AFFECTED—752-758 West End avenue and 260 West 97th street, southeast corner (Block No. 1868, Lot No. 61), Borough of Manhattan.

APPEARANCES—

For Applicant: George Varga and Ernst Pfeiffer.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn... 4

THE RESOLUTION (375-42-BZ)

WHEREAS, Ernst Pfeiffer, for Risap Corporation, owner, filed on May 7, 1942, an application under section 21 of the zoning resolution, to permit in a residence use district, the erection and maintenance of an electric sign on a proposed marquee to be attached to a Class B multiple dwelling (hotel); premises 752-758 West End avenue and 260 West 97th street, southeast corner (Block No. 1868, Lot No. 61), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West End avenue is in a residence use district; West 97th and West 98th streets are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, dated April 24, 1942, re Alt. Applic. No. 604-42, reads:

"1. Electric sign not permitted in Residence District. Sec. 3, Building Zone Resolution."

and

WHEREAS, at the hearing held on June 23, 1942 this application was laid over to June 30, 1942 for further consideration by the Board (applicant to get new objection as to sign from Building Department after he has had marquee approved and file same with Board prior to hearing). Applicant has filed approved plans and data showing that approval for the marquee has been obtained and also the required new objections; and

WHEREAS, the decision of the borough superintendent, dated June 26, 1942, re Electric Sign Applic. No. 394-42, reads:

"Electric sign on marquee not permitted under Section 3 of the Building Zone Resolution."

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and
WHEREAS, the decision of the borough superintendent, dated June 26, 1942, re Electric Sign Applic. No. 395-42, reads:

"Electric sign on marquee not permitted under Section 3 of the Building Zone Resolution."

and
WHEREAS, the decision of the borough superintendent, dated June 26, 1942, re Electric Sign Applic. No. 396-42, reads:

"Electric sign on marquee not permitted under Section 3 of the Building Zone Resolution."

and
WHEREAS, the existing building is of fireproof construction, 25 stories in height, with a frontage of 101 ft. on West End avenue and 100 ft. on West 97th street. It is proposed to erect at the West End avenue frontage of the existing Class B multiple dwelling (hotel) a marquee and to erect upon the three fronts of same electric signs, the lettering of the signs reading "Hotel Paris"; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution, and was therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

461-42-BZ.

APPLICANT—Lockwood-Greene Engineers, Incorporated, for Defense Plant Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an unrestricted use and also 1½ times height district, the erection and maintenance of a factory building having street walls exceeding the height limits permitted by the zoning resolution and, also, providing loading space for four (4) trucks instead of the required space for ten (10) trucks.

PREMISES AFFECTED—315-329 Park avenue, north side, between Ryerson street and Grand avenue, 47-57 Ryerson street and 32-52 Grand avenue (entire block); (Block No. 1877, Lot Nos. 60, 57, 44 and part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: George L. Hawhills, L. G. Mertz and E. J. Holthausen.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. . . 4
Negative: 0

THE RESOLUTION (461-42-BZ)

WHEREAS, Lockwood-Greene Engineers, Inc., for Defense Plant Corporation, owner, filed on June 9, 1942, an application under section 21 of the zoning resolution, to permit in an unrestricted use and also 1½ times height district, the erection and maintenance of a factory building having street walls exceeding the height limits permitted by the zoning resolution, and also, providing loading space for four (4) trucks instead of the required space for ten (10) trucks; premises 315-329 Park avenue, north side, between Ryerson street and Grand avenue, 47-57 Ryerson street and 32-52 Grand avenue (entire block); (Block No. 1877, Lots 60, 57, 44 and part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 30, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use and height district maps accompanying the zoning resolution show that Park avenue is in unrestricted use and 1½ times height districts; Ryerson avenue is in unrestricted and residence use and 1½ times height districts; Grand avenue is in unrestricted and residence use and 1½ times height districts; and

WHEREAS, the decision of the borough superintendent, dated June 1, 1942, re N. B. Applic. No. 154-42, reads:

"3. Height of bldg. does not comply with Art. III, sec. 8, par. 'F' of Zone Resolution.

(This bldg. is located in a 1½ height district.)

4. Provide space for 10 trucks as per Art. IV, sec. 19-A of Zone Resolution."

and
WHEREAS, the proposed building will be 9 stories (112.47 feet) in height, of fireproof construction, with a frontage of 202 ft. on Park avenue, 117 ft. on Ryerson street and 173 ft. 4 in. on Grand avenue. The proposed building, to be used for range finders for the U. S. Government, has a height of 112.47 ft. The plot is located in a 1½ times height and also an unrestricted use district. The permissible height of the Park avenue street wall and also the Ryerson street and Grand avenue street walls (for a distance of 100 ft. from Park avenue) is 150 ft. The permissible height of the street wall on Ryerson street and on Grand avenue, north of a point 100 ft. north of Park avenue, is 90 ft. This is the portion of the street walls of the building which is in question. It is proposed to erect this portion of the street walls of the building to a height of 112.47 ft. instead of the limiting height of 90 ft., for a frontage of 17 ft. on Ryerson street and 73 ft. on Grand avenue. It is proposed, also, to provide space for four (4) trucks instead of space for ten (10) trucks as required by the zone resolution; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and height district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 21 thereof, as to Objection Nos. 3 and 4, *on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 396-42-A; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

456-42-S.

APPLICANT—Frank Straub, for Fred Figge, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Straub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 28, 1942, at 10 A. M. in connection with Cal. No. 1052-41-BZ.

263-42-A.

APPLICANT—Paul Friedman, for Welz and Zerweck, owner (Sebastian Simone, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—159-173 Onderdonk avenue and 1851-1859 Troutman street, northwest corner (Block No. 3394, Lot No. 1), Maspeth, Borough of Queens.

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APPEARANCES—For Applicant: Paul Friedman and Sebastiano Simone.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn in view of action on Cal. No. 262-42-BZ.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

Adjourned: 12:15 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, JUNE 30, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

ZONING CASES.

127-35-BZ.

APPLICANT—Jack Z. Cohen, for Joseph Angelone, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—(decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and, also, the erection and maintenance of garages for four (4) motor vehicles.

PREMISES AFFECTED—115-119 Truxton street, north side, 142 ft. 9¾ in. west of Conway street (Block No. 1544, Lot Nos. 42 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

394-41-BZ.

APPLICANT—Arthur W. Renander, for Fenton R. Brydle, owner (K. & S. Parking Company, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—125-05 Queens boulevard, southeast corner of 82nd road (Block No. 9653, Lot No. 10), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn, on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

818-41-BZ.

APPLICANT—Corsel Strahs, for Strull Realty Corporation, owner (Hilna Motors, Incorporated, lessee).

SUBJECT—Application (decision of the borough superin-

tendent) under sections 21 and 7h of the zoning resolution, to permit in a business use district, the use of an open lot for the storage and sale of second hand motor vehicles.

PREMISES AFFECTED—5522-5524 18th avenue, northwest corner of 56th street (Block No. 5490, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Corsel Strahs and Fred R. Sherry.

ACTION OF BOARD—Application withdrawn, on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

839-41-BZ.

APPLICANT—Max Horn, for Sandy Beach Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—45-01 Rockaway Beach (Far Rockaway) boulevard, south side, 233 ft. west of Beach 44th street (Block No. 328, Lot Nos. 48 and 53), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

ACTION OF BOARD—Application withdrawn, on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

DISMISSALS.

WHEREAS, the following applicants filed applications with the Board for variances of the zoning law; and

WHEREAS, the applicants failed to complete the papers in the respective subject cases although duly notified to do so, and at the hearing there were no appearances made on behalf of the applicants.

Resolved, that the following applications be and they hereby are dismissed for lack of prosecution.

608-39-BZ.

APPLICANT—M. G. Uslan, for Philip Beyer, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, the extension of a five (5) car garage.

PREMISES AFFECTED—767 Forest avenue, north side, 360 ft. east of Broadway (Block No. 183, Lot Nos. 68 and 70), West New Brighton, Borough of Richmond.

659-41-BZ.

APPLICANT—Joseph J. Lorey (lessee), for Arthur C. Lynch, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—119-34 Metropolitan avenue, south side, 250 ft. east of Lefferts boulevard (Block No. 9231, Lot No. 13), Kew Gardens, Borough of Queens.

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722-41-BZ.

APPLICANT—Joseph P. Powers, for Marfredor Realty Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7a and 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a lumber shed.

PREMISES AFFECTED—110-58 Corona avenue, south side, 177 ft. west of Sautell avenue (Block No. 1968, Lot Nos. 14, 15, 17, 18, 20, 21, 23 and 24), Corona, Borough of Queens.

749-41-BZ.

APPLICANT—George J. Sole, for Anna Ahlberg, owner.

SUBJECT—Application (re decision of the acting borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—East side of Castle Hill avenue, east side, from Eastern boulevard and Houghton avenue (Block No. 3695, Lot Nos. 1 and 3), Borough of The Bronx.

792-41-BZ.

APPLICANT—Sidney L. Strauss, for Pompilio Miano, owner.

SUBJECT—Application (re decision of the acting borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use district, the extension of a tool shop.

PREMISES AFFECTED—3556 Holland avenue, east side, 100 ft. south of East 213th street (Block No. 4660, Lot Nos. 15 and 16), Borough of The Bronx.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

286-37-BZ.

APPLICANT—Trinor Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7c of the zoning resolution, permitting in a residence use district, the extension of an existing laundry.

PREMISES AFFECTED—428-436 West 54th street, south side, 350 ft. west of Ninth avenue (Block No. 1063, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: C. B. Orcutt.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (286-37-BZ)

WHEREAS, this application affecting premises 428-436 West 54th street, south side, 350 ft. west of Ninth avenue (Block No. 1063, Lot No. 47), Borough of Manhattan, was granted by the Board July 9, 1937, on certain conditions, time extended May 10, 1938, July 5, 1939, July 2, 1940 and June 24, 1941, and owner requests a further extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the Board on July 9, 1937, be and it hereby is amended, only so far as it has reference to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

801-41-BZ.

APPLICANT—Max Horn, for Yetta Klepper, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—132 Beach 31st street, east side, 120 ft. south of Lewmay road (Block No. 302, Lot No. 23), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (801-41-BZ)

WHEREAS, this application, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of motor vehicles, premises 132 Beach 31st street, east side, 120 ft. south of Lewmay road (Block No. 302, Lot No. 23), Edgemere, Borough of Queens, was granted by the Board April 14, 1942, on certain conditions under section 7h of the zoning resolution, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on April 14, 1942, so that as amended the resolution shall read:

"Granted under section 7h for a term of two (2) years, to permit the premises to be occupied for the storage and parking of motor vehicles on condition that only motor vehicles of the pleasure car type and those in condition for operation shall be so stored or parked; that the premises shall be leveled substantially to the grade of Beach 31st street and shall be surfaced with suitable surfacing material; that on the interior lot lines and the street line there shall be maintained a substantial fence with no opening therein except to Beach 31st street; that such opening shall not exceed 15 ft. in width with a curb cut opposite of similar width; that such parking and storage shall be restricted solely to the guests of the multiple dwelling located on the adjoining lot to the north; that no signs shall be erected on the premises except there shall be a sign near the entrance stating that this lot is restricted for the cars of the guests of such building; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution."

353-42-BZ.

APPLICANT—Charles M. Lobejager, for Bulova Watch Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the erection and maintenance of a building to be occupied for factory use in excess of the area permitted by the zoning resolution.

PREMISES AFFECTED—40-05 61st street, 40-06 62nd street, the south side of Woodside avenue, from 61st to 62nd streets (Block No. 1336, Lot Nos. 38, 41, 44 and 47), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Chas. M. Lobejager.

ACTION OF BOARD—Application reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (353-42-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a building to be occupied for factory use in excess of the area permitted by the zoning resolution, premises 40-05 61st street, 40-06 62nd street, and the south side of Woodside avenue from 61st to 62nd streets (Block No. 1336, Lot Nos. 38, 41, 44 and 47), Woodside, Borough of Queens, was granted by the Board June 2, 1942, on certain conditions, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 2, 1942, by adding thereto:

"that in the event the owner desires to construct this building of Class 6 construction throughout instead of Class 1 as proposed, the zoning variance herein permitted may also be deemed to apply and the window sash may be constructed of redwood frames and sash treated with fireproofing Class A treatment, provided that in all other respects the resolution shall be complied with."

APPEALS FROM ADMINISTRATIVE DECISIONS.

308-42-S.

APPLICANT—Harry Borsky, for Atlantis Steel Partition Co., Inc., lessee, 116 Troutman Street, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in an order of the fire commissioner.

PREMISES AFFECTED—114-124 Troutman street, east side, 210 ft. 6 in. south of Central avenue (Block No. 3184, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry Schantz and E. T. Wendbloom.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to July 7, 1942 at 2 P. M. for further consideration by the Board.

311-42-A.

APPLICANT—Kamel D. Mahfouz, et al., adjoining property owners.

OWNER OF PREMISES—No. 97 Realty Corporation (Thrift Auto Parking, lessee).

SUBJECT—Appeal from a decision of the borough superintendent re Revocation of Certificate of Occupancy No. 104904-42.

PREMISES AFFECTED—5501-5523 Sixth avenue, east side, block front between 55th and 56th streets (Block No. 833, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. A. Dickinson, Kamel Mahfouz, Helen Petersen, Louis Mahfouz and Rose Steed.

For Opposition: Daniel Gutman, Michael Flax and Wm. Tarnapol.

For Administration: Morris Hannes, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over for decision by the Board, without further argument; date to be set.

384-42-A.

APPLICANT—John M. Baker, for York Feather and Down Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—40 Hopkins street, south side, 400 ft. west of Marcy avenue (Block No. 1724, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: John M. Baker.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 7, 1942 at 2 P. M. on request of Engineering Division.

458-42-A.

APPLICANT—Andres Mora, for Victor Moore Terminal, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot No. 23), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: C. C. Merritt.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 7, 1942 at 2 P. M. for further consideration by the Board.

317-42-A.

APPLICANT—L. E. Driver, for New York Dock Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—West side of Furman street (Wharf), 860 ft. south of Fulton street, Pier No. 6, East River (Block No. 199, part of Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: L. E. Driver.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

337-42-S.

APPLICANT—Brewster Aeronautical Corporation (lessee) for Braeco Realty Corporation, owner.

SUBJECT—Variation of the labor law as cited in an order of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—34-01 to 34-19 38th avenue, north side, from 34th to 35th streets (Block No. 376, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Merwin Lewis.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application withdrawn, on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

993-41-A.

APPLICANT—J. G. L. Molloy, for Shell Oil Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner.

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PREMISES AFFECTED—420 Oakland street and north side of Paidge avenue, between Slawmet and Pequod streets (Block No. 2485, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. G. L. Molloy.

ACTION OF BOARD—Resolution of December 2, 1941 rescinded.

THE VOTE TO RESCIND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

15-42-A.

APPLICANT—Henry Z. Harrison, for John Antioletti and Rose Fiore, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—250-252 High street, southwest corner of Navy street (Block No. 101, Lot Nos. 16 and 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry R. Harrison, Mac Antioletti and Harold G. Schenk.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (15-42-A)

WHEREAS, Henry Z. Harrison, for John Antioletti and Rose Fiore, owners, filed on January 6, 1942 an appeal from a decision of the borough superintendent, affecting premises 250-252 High street, southwest corner Navy street (Block No. 101, Lot Nos. 16 and 17), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on B. N. Applic. No. 2655-41 dated January 6, 1942, reads:

"1. Proposed commercial occupancy on 1st floor of frame structure is contrary to 2.1.3.5 and 4.2.1 of the Code.

2. 100 lb. live load required for this occupancy."

and

WHEREAS, the applicant states that the buildings are 2 stories and basement (25 ft.) in height; 37 ft. 6 in. by 30 ft. in area; of class 3 and class 4 construction; erected about 1894; located in an unrestricted use district; and occupied: 250 High street—basement, store; 1st floor, dwelling, 1 family; 2nd floor, dwelling, 1 family; 252 High street—basement, dining room in connection with lunch room in the corner building; 1st floor, dwelling, 1 family; 2nd floor, dwelling, 1 family; and

WHEREAS, the applicant contends that the buildings are connected at the basement story by a 6 ft. wide horizontal opening in the party wall; that there is no cooking done in 250 High street; that the store in question was existing prior to the alteration connecting the two buildings; that the basements of each building have two separate exits each, separate from the upper floors, one exit leads to the yard and one to the street from each building; that the application now before the Board is to obtain a certificate of occupancy so that the Health Dept. can issue a restaurant permit.

Resolved, that the decision of the borough superintendent on B. N. Applic. No. 2655-41, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the second and third floors of the building at No. 250 High street shall be left vacant and not occupied for any use; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and *denied* as to Objection No. 2.

253-42-A.

APPLICANT—Amperex Electronic Laboratories, lessee, for Gair Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—79-83 Washington street, east side, 96 ft. 5 in. north of York street and 39-45 York street (3rd and 4th floors); (Block No. 51, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Nicholas Anton and Moses B. Sherr.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn.. 4

Negative: 0

THE RESOLUTION (253-42-A)

WHEREAS, Amperex Electronic Laboratories, lessee, for Gair Realty Corporation, owner, filed on March 27, 1942, an appeal from an order of the fire commissioner; premises 79-83 Washington street, east side, 96 ft. 5 in. north of York street and 39-45 York street (3rd and 4th floors); (Block No. 51, Lot No. 1), 3rd and 4th floors, Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 9055-LC, issued February 27, 1942, reads:

"1. Surrender to the bearer Fire Department Permit #463505, expiring March 22, 1942, authorizing the storage of Alcohol, Acetone, compressed Gases and Acids, at the above premises, as it is revoked for the reason that inspection disclosed violations of the Administrative Code and the Spray Rules of the Board of Standards and Appeals to exist. You are therefore ordered to:

2. Discontinue the maintenance of any open flames (4th floor) within the floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8, Spray Rules.

3. Provide that spraying or dipping spaces shall be mechanically ventilated when in operation so that the movement of air shall be at least 100 linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors. Rule 3.1, Spray Rules."

and

WHEREAS, the applicant states that the building is six stories (60 ft.) in height; 45 ft. by 107 ft. 6 in. in area; of Class 6 construction; equipped with a standpipe and sprinkler system; erected about 50 years ago; located in an unrestricted use district; and occupied: 2nd, 3d, 4th and 5th floors, mfg. of radio transmitting tubes and radiator dipping, 16, 5, 60 and 50 persons per floor, respectively; and

WHEREAS, the applicant contends that the spraying process which is conducted on the 4th floor is for the purpose of putting a coating on the filament of radio transmitting tubes; that the size of the filament ranges from 1 to 1½ inches; that the spraying mixture consists of Barium and Strontium Oxides in a mixture of Amyl Acetate to which is added 1½% Pyroxylin; that instead of using the compressed air for atomizing and forcing the mixture through the spray gun, carbon dioxide is used; that the amount of mixture used ranges from one pint to 1½ pints daily; that the tank of carbon dioxide contains 120 to 140 cubic feet and is used every 3 days or approximately 40 cubic feet daily or five cubic feet per hour; that this mixture is sprayed in a booth supplied with a fan capable of exhausting 100-150 cubic feet per minute, which is equal to a complete change for that portion of the factory of three times per hour; that the dipping operation on the 3rd floor consists of dipping one copper radiator 7 in. by 12 in. long each day; that this operation takes approximately one minute; that after dipping, the radiator is withdrawn from the dipping solution and permitted to drip and then removed to a fume hood provided with a fan, where it is permitted

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to dry; that the dipping mixture is paint; that the dipping tank when not in use is covered; that this process will be discontinued in the next month or two as the copper for the radiators will not be obtainable; that this process has been used for the past 10 years and regular inspections have been made by the Fire Department; that Rule 1 of the Paint and Spray Rules permits the fire commissioner to waive any requirements for less than 2 quarts of material in use daily; that in this process less than 1 pint is used daily; that the plant is engaged in defense work and every portion of the plant has been put into efficient use, to be compelled to give up any part of such space in order to comply with the order of the fire commissioner would cut down production.

Resolved, that the order of the fire commissioner, No. 90554-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the equipment and operations on the third and fourth floors shall be maintained substantially as proposed and to the satisfaction of the fire commissioner; that there shall be a sprinkler head installed, in accordance with requirements, in the spray booth on the 4th floor; that the sprinkler system and stand-pipe system shall be maintained to the satisfaction of the fire commissioner and in addition, such portable fire fighting appliances shall be installed as the fire commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

325-42-A.

APPLICANT—Legrand Chemical Corporation, lessee, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—103 50th street, northeast corner of First avenue (Block No. 780, Lot No. 1); (Bush Terminal Bldg. 111), Borough of Brooklyn.

APPEARANCES—

For Applicant: Victor P. Nacht.

For Administration: Inspector Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (325-42-A)

WHEREAS, Legrand Chemical Corporation, lessee, for Bush Terminal Company, owner, filed on April 20, 1942, an appeal from an order of the fire commissioner; premises 103 50th street, northeast corner of First avenue (Block No. 780, Lot No. 1), (Bush Terminal Building 111), Borough of Brooklyn; and

WHEREAS, Order No. 90872-LC, issued by the fire commissioner March 26, 1942, reads:

"With reference to application dated March 13, 1942, requesting a permit for the storage and use of 15 one ton cylinders of liquid chlorine, 50 gallons of acetic acid, 10 drums of caustic soda, 50 gallons lubricating oil, 2 drums cellosolve, 5 gallons castor oil, to be used in the manufacture for bleaching preparations on premises 101-11 50th street, Brooklyn, we regret to state that the Fire Department is without power to issue such a permit for the reason that the storage of 15 one ton drums of chlorine gas at above premises is not in the interest of public safety.

1. You are, therefore, ordered to remove all chlorine gas from the premises, and to discontinue the further storage of chlorine gas on said premises. The storage of 15 one ton cylinders of chlorine gas creates a dangerous condition and is a violation of C19-11.0 of the Administrative Code."

and

WHEREAS, the applicant states that the building is one story (22 ft.) in height; 100 ft. by 75 ft. in area; of Class

1 construction; equipped with a sprinkler system; located in an unrestricted use district; erected in 1905; used for the manufacture of chlorine bleach; and occupied by six persons; and

WHEREAS, the applicant contends that in September, 1939, it moved from 111 49th street to the building in question; that before such removal the applicant was advised by the fire commissioner that a transfer of fire permit would be granted if the installation conformed with the resolution of the Board of Standards and Appeals as adopted under Cal. No. 363-31-A; that plans were filed with the Department of Housing and Buildings and inspection made by the Fire Department and permit issued by the Fire Department to store and use 15 one ton cylinders of liquid chlorine for the years 1940 to 1941; that the one ton cylinders stored are of a type approved by the Interstate Commerce Commission; that the building is one story, sprinklered, fire-proof, and located alongside an independent railroad siding; that a carload of 15 one ton cylinders of chlorine are housed in a reinforced concrete vat, approximately 10 ft. by 50 ft. by 3½ ft. in height; that the cylinders are moved from the railroad car to the storage vat by means of a two ton electric hoist operated on an overhead monorail; that the chlorine cylinder storage vat is protected by an independent overhead sprinkler system and by a system for flooding with caustic soda solution; that the sprinkler system referred to consists of two 2 in. lines of open heads over the chlorine cylinders with a control valve located outside of the building in a metal box equipped with a Fire Department lock; that the caustic soda flooding system consists of a flood line to fill the vat with caustic soda solution with an overflow near the top of the vat to keep all of the cylinders completely immersed in event of fire or breakage; that the valve controlling this caustic soda line is located at the vat near a street entrance; that this installation is almost identical with the installation at 111 49th street, which was approved by the Board, and for this reason it is requested that a permit be granted for the year 1942.

WHEREAS, an examination of Fire Department Combustible Folder No. 108973.19, affecting 101-11 50th street, Brooklyn, indicates that application was filed July 20, 1939, to permit the storage of 15 one ton cylinders of liquid chlorine, 50 gallons lactic acid, 10 drums caustic soda, 10,000 gallons caustic soda solution, 5 gallons sulfonated castor oil, 2 drums cellosolve and 50 gallons of lubricating oil; that Permit No. 383274, was issued February 29, 1940, to expire February 20, 1941, and that subsequent to the filing of application for such permit, and prior to the issuance of such permit, Order No. 80965-LC was issued dated September 6, 1939, wherein the issuance of the permit requested was refused on conditions similar to those cited in Order No. 90872-LC, which is the subject of this appeal. Application filed March 24, 1941 for renewal of Permit 383274 resulted in the issuance of Permit No. 464254 on March 11, 1941 to expire February 29, 1942 and this permit was superseded by Permit No. 69438, issued March 3, 1942 to expire February 29, 1943. This permit appears to have been issued on application dated March 13, 1942, which is the application cited in Order No. 90872-LC, which is the subject of this appeal.

Resolved, that order of the fire commissioner, No. 90872-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the requirements as set forth by the Board under Cal. No. 363-31-A, on October 1, 1935, as applying to the former premises at 111 to 117 49th street, shall be complied with in all respects, and the premises shall be otherwise maintained substantially as set forth; that upon arrival of the cylinders at the site that they shall be promptly removed to the interior of the building; that during the period of the emergency there shall be maintained in the building in which the chlorine is stored a watchman or operator 24 hours of each day, including Sundays and holidays; that such watchmen shall hold a certificate of fitness approved by the fire commissioner.

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340-42-A.

APPLICANT—Sperry Gyroscope Company, Incorporated, lessee, for Bush Terminal Buildings Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—3928-4022 First avenue, west side, 261 ft. north of 42nd street (Block No. 710, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry L. Barstow.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn. . . 4

Negative: 0

THE RESOLUTION (340-42-A)

WHEREAS, Sperry Gyroscope Company, Incorporated, lessee, for Bush Terminal Buildings Company, owner, filed on April 23, 1942, an appeal from an order of the fire commissioner; premises 3928-4022 First avenue, west side, 261 ft. north of 42nd street (Block No. 710, Lot No. 1), Borough of Brooklyn; and

WHEREAS, Order No. 90831-LC, issued by the fire commissioner March 23, 1942, reads:

"You are hereby notified that an inspection of the above premises, used to store lacquers, Nitric acid, etc. shows that the following must be done before the permit requested by you can be issued.

2. Discontinue the maintenance of any open flame, gas ovens, 1st floor within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8, Spray Rules."

and

WHEREAS, the applicant states that the building is eight stories and cellar (120 ft.) in height; 234 ft. by 210 ft. in area; of Class 1 construction, equipped with a sprinkler system and standpipe system; erected in 1927; located in an unrestricted use district; and used and occupied as follows: cellar, storage, stores, building maintenance and repair shop, 30 persons; first floor, receiving, painting, baking and shipping, 50 persons; second floor to fifth floor, inclusive, assembling and machining of metal parts, 225 persons on the 2nd floor, 300 persons on the 3rd and 4th floors and 360 persons on the 5th floor; sixth floor, assembly of metal parts, 390 persons; seventh floor, assembly of metal parts, 385 persons; eighth floor, offices, 240 persons. No change in use of occupancy is proposed. Certificate of Occupancy No. 83634, issued in 1937 on Permit No. 15049, permits the use of the building throughout as a factory with eight persons on the first floor and no limitation on the occupancy of the balance of the building; and

WHEREAS, the applicant states that spray booth room and bake oven are separated by a ceiling high metal partition with metal clad doors with glass panel; that there are no flames or sparking devices or inflammable liquids, solids or gasses stored or used except where indicated on plan filed with this appeal marked "Received April 23, 1942;" that such spray booth is sprinklered and mechanically ventilated to the outer air; that the lighting system in the spray room is protected by explosion proof switches and vapor proof globes; that all electrical equipment is in compliance with the Paint Spray Rules; and

Resolved, that the order of the fire commissioner Order No. 90831-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the ovens shall be of the Gehnerich gas fired type; that the spray booths shall be maintained in accordance with all the requirements therefor, except that the partition may be as proposed, constructed of metal from floor to ceiling, except that the door may have a panel of wired glass; that in all other respects the building and occupancy shall comply with all laws, rules and regulations.

348-42-S.

APPLICANT—Manifold Supplies Company, owner.

SUBJECT—Variation of the labor law as cited in an order of the fire commissioner.

PREMISES AFFECTED—188-190 Third avenue, northwest corner of Douglass street (Block No. 412, Lot Nos. 34 and 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn. . . 4

Negative: 0

THE RESOLUTION (348-42-S)

WHEREAS, Manifold Supplies Company, owner, filed on May 25, 1942, an application for a variation from the requirements of the labor law as cited in an order of the fire commissioner; premises 188-190 Third avenue, northwest corner of Douglass street (Block No. 412, Lot Nos. 34 and 37), Borough of Brooklyn; and

WHEREAS, Order No. 8390-LF, issued by the fire commissioner March 27, 1942, reads:

"1. Remove panic bolts and sticks from handles of doors on 1st story and arrange doors so same will not be locked, barred or bolted during working hours. Section 272 of the Labor Law."

and

WHEREAS, the applicant states that the building is 3 stories (40 ft.) in height; 119 ft. 9½ in. by 110 ft. in area at 1st floor and 99 ft. 9½ in. by 110 ft. in area at 2nd floor; of Class 3 construction; located in an unrestricted district; erected in 1888 and 1928; and occupied: cellar, 1st, 2nd and 3d stories, mfg. of carbon paper and ribbons, 3 persons in cellar, 12 on the 1st, 12 on the 2nd and 12 on the 3rd floors. The building is equipped with a sprinkler system, two interior stairs leading direct to street, one of which goes to roof. These stairs are 4 ft. wide, of steel and concrete construction, enclosed in brick partitions and equipped with wood self-closing doors; and

WHEREAS, the applicant contends that due to the type of neighborhood it is undesirable to have doors opening into the building with the exception of those which will be under the supervision of responsible employees; that some of the exits which are existing are no longer necessary in view of the additional exits which have been provided between sections of the building; that the plant is engaged in defense work, completing contracts for the Army and Navy; and

WHEREAS, the applicant has filed a copy of recommendation from the U. S. Navy Office of Inspector of Naval Material, recommending that the doors to the plant be locked so that in an emergency the doors may be opened from the inside and unauthorized persons may not enter from the outside.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in an order of the fire commissioner, No. 8390-LF, Item No. 1, and that the application be and it hereby is *granted on condition* that the panic bolts as proposed on the two doors leading to Third avenue shall be of approved type and shall be maintained at all times so as to be readily openable from the interior; that no means shall be employed to prevent such easy opening; that the two exit doors to Douglass street from the corner building, and the door from the two-story frame building adjoining to Third avenue, shall be maintained so as to be accessible at all times for ingress and egress; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance is granted only during the term of the present emergency.

388-42-A.

APPLICANT—William Shary, for Municipal Properties, Incorporated, owner.

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SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—512-514 West 29th street, south side, 200 ft. west of Tenth avenue (Block No. 700, Lot Nos. 42 and 43), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (388-42-A)

WHEREAS, William Shary, for Municipal Properties Inc., owner, filed on May 11, 1942, an appeal from a decision of the borough superintendent; premises 512-514 West 29th street, south side, 200 ft. west of Tenth avenue (Block No. 700, Lot Nos. 42 and 43), Borough of Manhattan; and

WHEREAS, an amendment was filed May 7, 1942, with the borough superintendent on P. and D. Misc. Applic. 3237-41, which reads:

"Respectfully request permission to retain the existing tile 6" diameter house sewer which is in good condition and adequate in size, in view of the acceptance of same by the Engineering Division of the Dept. of Public Works and the restrictions on metals by the War Production Board Conservation Orders."

and

WHEREAS, the decision, dated May 8, 1942, of the borough superintendent on such amendment, reads:

"Disapproved—".

and

WHEREAS, the applicant states that the building will be one story (17 ft.) in height; 50 ft. by 98 ft. 9 in. in area; of Class 3 construction; located in an unrestricted use district; and occupied as a storage garage for more than 5 motor vehicles and shipping, 10 persons; and

WHEREAS, the applicant contends that the premises were formerly occupied by two old-law tenements, which were demolished; that N. B. Applic. 107-41 was filed for the erection of a new building, using the existing foundations and party-wall; that a 6-inch vitrified tile house sewer exists in front of the premises; that Section 14.9.6 provides that old house drains and house sewers may be used for connections to new structures and new plumbing only when such drains and sewers are found on examination to conform in all respects with the requirements of the borough president and the rules of the Board; that the existing sewer has been accepted by the Dept. of Borough Works on April 15, 1942; that in view of these facts it is requested the Board permit the existing 6 in. diameter vitrified house sewer to remain, as same is in good condition and adequate in size; and

Resolved, that the decision of the borough superintendent on Misc. P. and D. Applic. No. 3237-41 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects all the requirements relating to the building and occupancy shall be complied with and that the existing tile house drain shall be maintained to the satisfaction of the Borough President.

423-42-A.

APPLICANT—George W. Swiller, for Hebrew Home for Invalids, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1776-1786 Clay avenue, northeast corner of Prospect place (Block No. 2891, Lot Nos. 37, 42, 43 and 49), Borough of The Bronx.

APPEARANCES—

For Applicant: Geo. W. Swiller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (423-42-A)

WHEREAS, George W. Swiller, for Hebrew Home for Invalids, owner, filed on May 22, 1942 an appeal from a decision of the borough superintendent; premises 1776-1786 Clay avenue, northeast corner of Prospect place (Block No. 2891, Lot Nos. 37, 42, 43, and 49), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated May 15, 1942 on Alt. Applic. No. 248-42, reads:

"4. Change of occupancy from frame building inside fire limits from one family to one family and reading room in conjunction with hospital, is contrary to Secs. 2.1.3.5, 4.1.2 and 4.2.1."

and

WHEREAS, the applicant states that the building is 2 stories and attic (34 ft.) in height; 21 ft. 6 in. by 50 ft. in area at 1st floor and 21 ft. 6 in. by 42 ft. 2 in. in area at typical floor; of Class 4 construction; located in a residence use district, erected in 1900; and occupied: cellar, storage, boiler-room and toilet; 1st, 2nd and attic stories combined, 1 family. It is proposed to be occupied: cellar, same; 1st floor, reading room, 50 persons; 2nd and attic stories combined, 1 family; and

WHEREAS, the applicant contends that the reading room on the 1st story will be used to accommodate the inmates in inclement weather so as to permit them to occupy their time with books or newspapers; that due to the lack of space this room is essential and an urgent necessity for the hospital; that the 2nd floor and attic will be occupied for the caretaker's apartment; that there are two means of egress from the 1st floor; that it is proposed to remove the bearing partitions on the 1st floor and to comply with all requirements of the borough superintendent so as to make the building structurally safe for the use proposed; that the northerly wall is located 6 in. off the lot line and is brick filled; that the building is surfaced on the exterior with wood siding and the roof is surfaced with asphalt shingles; that the building will be heated by coal fired low pressure boiler; that no cooking will be done on the premises except in the caretaker's apartment on the 2nd story; that floor loads will be designed to accommodate 75 lbs. live load on the 1st floor and 40 lbs. on the 2nd and attic story; that the cellar ceiling is covered with 1/4" plaster board; cellar stairs is of wood unenclosed; that the stairs from the 1st to 2nd floor will be enclosed with 1 hour partition with wood door at the 1st floor.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 248-42, Objection No. 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be maintained substantially as proposed; that an additional doorway from the first floor to grade toward the southerly side shall be constructed and maintained; that windows on the northerly side adjacent to the lot line shall be either bricked up or filled in with approved glass block; that the building shall otherwise be maintained substantially as proposed, and in all other respects shall comply with all laws, rules and regulations applicable thereto; and *granted* only so long as this building is used in conjunction with the other buildings on the plot as indicated on plans filed with the Board under Cal. No. 990-41-A and 185-38-A.

427-42-A.

APPLICANT—Home Owners' Loan Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent.

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PREMISES AFFECTED—1375 Prospect avenue, west side, 23 ft. south of Ritter place (Block No. 2968, Lot No. 46), Borough of The Bronx.

APPEARANCES—

For Applicant: William O. Staber.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (427-42-A)

WHEREAS, Home Owners' Loan Corporation, owner, filed on May 26, 1942 an appeal from a decision of the borough superintendent; premises 1375 Prospect avenue, west side, 23 ft. south of Ritter place (Block No. 2968, Lot No. 46), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated May 2, 1942 on Alt. Applic. No. 150-42, reads:

"1. Change in occupancy of a frame structure from store and one family dwelling to store and two family dwelling by the addition of a kitchen on the 3rd story, is not in conformity with Sec. 2.1.3.5, Sec. 4.2.1 and Departmental Order of 12/6/39."

and
WHEREAS, the applicant states that it is proposed to create a bathroom on the 1st floor and convert rear room off stairhall on the 2nd floor into a kitchen by installing a combination sink and tub and gas range; and

WHEREAS, the applicant states that the building is 2 stories and basement (27 ft. 10 in.) in height; 25 ft. by 38 ft. 6 in. in area at 1st floor and 20 ft. by 38 ft. 6 in. in area at 2nd floor; of Class 4 construction; erected in 1897; altered in 1926; located in a business use district; and occupied: basement, store and boiler-room; 1st and 2nd floors combined, 1 family. It is proposed to be occupied: basement, same; 1st floor, dwelling, 1 family; 2nd floor, dwelling, 1 family; and

WHEREAS, the applicant contends that the store in the basement is separated from the balance of the floor by 4 in. t.c. partition with 1 hour test, self-closing doors between the boiler-room and the store and stair hall; that the store ceiling is covered with 26 gauge stamped metal and the heater room ceiling will be covered with ½ in. plaster board; that an additional layer of ½" plaster board will be applied on the ceiling above the boiler; that the basement walls are of masonry and the walls above are of frame; that the frame walls on the lot line are brick filled for their entire height; the main entrance to the living quarters is on the 1st floor reached from the street by a stoop, and therefore the structure as it is proposed to be altered will comply with the intent of Sec. 4.2.1 of the Building Code; that in view of these facts, it is requested that a variance be granted to permit the conversion of the 1st and 2nd floor to two family occupancy retaining the existing store in the basement as shown on plans filed with this appeal and as shown on plan filed with Alt. 150-42 with the borough superintendent.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 150-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be a second means of exit provided for the second floor, consisting of platform and fire escape stairway to grade, reached from the proposed second story kitchen and the roof of the first story extension; that the building shall not be further increased in height or area, and in all other respects shall comply with all laws, rules and regulations applicable thereto.

433-42-S.

APPLICANT—John M. Baker, for West Disinfecting Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—42-16 West street (Barn street), west side, 200 ft. south of Jackson avenue (Block No. 264, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John M. Baker.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn... 4

Negative: 0

THE RESOLUTION (433-42-S)

WHEREAS, John M. Baker, for West Disinfecting Company, owner, filed on May 26, 1942, an application for a variation from the requirements of the labor law, as cited in a decision of the borough superintendent; premises 42-16 West street (Barn street), west side, 200 ft. south of Jackson avenue (Block No. 264, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated April 25, 1942, re Misc. Applic. No. 1445-42, reads:

"2. All partitions, in the interior of a fireproof building used as a factory, are required to be of incombustible materials (sec. 260 sub. 1, 264 sub. 6, 270 sub. 6, L.L.).

4. One of the required two exits is not readily accessible.

6. All doors are required to be fire doors. (sec. 264 sub. 5. L.L.)"

and

WHEREAS, the applicant states that the building is 5 stories and basement (60 ft.) in height; 62 ft. 6 in. by 141.1 ft. in area; of Class 1 construction; erected in 1925; located in an unrestricted district; and occupied from basement to 4th story as a factory, 5 persons in basement, 4 on the 1st, 40 on the 2nd, 4 on the 3rd and 26 on the fourth and as general offices, 85 persons on the 5th floor. The building is equipped with a sprinkler system and an interior fire alarm system. There are two 4 ft. fireproof stairs extending from roof bulkhead direct to street; and

WHEREAS, the applicant contends that the building is equipped with American District Alarm and watchmen's service and interior fire alarm system; that six guards are maintained throughout the building; that the 4th floor is divided into four sections by frame partitions, which do not extend to the ceiling; that these partitions are for the purpose of segregating certain departments to insure better application of the workers in these departments upon the individual operations of each worker; that these partitions are constructed of 2 in. by 4 in. D.F. studs, 2 ft. on centers with ¾" plywood panelling on one side and are 8 ft. in height; that the story height is 11 ft. 4 in., the space above partitions is open throughout the floor; that the doors, as indicated on plans filed herein, are 2 ft. 4 in. by 6 ft. 4 in. by ¾ in., thick stock design wood panel doors; that section No. 1, as shown on plans is occupied by five employees assembling mechanical parts of appliances; section No. 2 is occupied by 18 employees in filling operating appliances with disinfectants and soap solutions; that there are no inflammable materials used in this section; that Section No. 4 is occupied by one employee in keeping files and storage of office stationary; that Section No. 3 is occupied by one employee in packing and wrapping of merchandise for shipment; that there are two means of egress from Section No. 1, stairs and elevator; that Section 2 is in direct connection with one exit stair and elevator and through section 4 with second exit stairway; that Section 3 has double swung doors into Section No. 2; that 44 in. unobstructed aisles are maintained leading to exits; that it is therefore requested in view of the fact the partitions do not extend to ceiling, that the operations do not entail

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the use of inflammable or combustible materials and as there is no hazard incurred, that the Board modify the Labor Law as the plant is engaged in defense contracts and it would create considerable confusion and hardship to be compelled to change the partitions at the present time.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the borough superintendent, Misc. Applic. No. 1445-42, Objections Nos. 2, 4 and 6, and that the application be and it hereby is granted on condition that no additional partitions shall be erected other than those indicated on plans filed marked "Received May 26, 1942" on the fourth floor, except that the partitions toward the west shall either be removed so as to provide free access to the rear exit or passageway to such exit shall be constructed to provide free access to stairway enclosure at all times; that the partitions shall not be increased in height beyond the 8 ft. height as shown; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. No. 664-40-A relating to storage of kerosene.

216-34-A.

APPLICANT—Haeuser Shellac Company, Incorporated, lessee.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—52-64 Warren street, south side, 214 ft. west of Columbia street (Block No. 303, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Hafner.

ACTION OF BOARD—Appeal reopened, permit extended and resolution amended.

THE VOTE TO REOPEN, EXTEND PERMIT AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn. . . 4

Negative: 0

THE RESOLUTION (216-34-A)

WHEREAS, this appeal from an order of the fire commissioner, affecting premises 52-64 Warren street, south side, 214 ft. west of Columbia street (Block No. 303, Lot No. 1), Borough of Brooklyn, was granted by the Board June 18, 1935, on certain conditions; the term of the permit extended from time to time and last extended June 24, 1941; resolution amended November 12, 1941, and applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on June 18, 1935, as amended through November 12, 1941, so far as it has reference to the term of the permit so that as amended that portion of the resolution shall read:

"granted for a term of one (1) year from the date of this amended resolution."

and by adding thereto:

"that upon delivery of cylinders same shall be taken inside the building promptly."

249-37-A.

APPLICANT—Dereshun Realty Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—179-15 Grand Central parkway, north side, 106 ft. east of Tudor road (Block No. 7239, Lot Nos. 78 and 82), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Banton Moore.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn. . . 4

Negative: 0

THE RESOLUTION (249-37-A)

WHEREAS, this appeal from a decision of the commissioner of buildings, affecting premises 179-15 Grand Central parkway, north side, 106 ft. east of Tudor road (Block No. 7239, Lot Nos. 78 and 82), Jamaica, Borough of Queens, was granted by the board June 15, 1937, on certain conditions, and applicant requested an extension of the term of the variance.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on June 15, 1937 only so far as it has reference to the term of the variance so that as amended this portion of the resolution shall read:

"permitting the premises under appeal to be occupied as a nursing home for a term of five (5) years from the date of this amended resolution . . ."

126-42-A.

APPLICANT—McFarlane Fire Prevention Corporation, for Young Men's Christian Association, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—350-358 West 34th street, south side, 49 ft. east of Ninth avenue and 351-359 West 33rd street (Block No. 757, Lot No. 66), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn. . . 4

Negative: 0

THE RESOLUTION (126-42-A)

WHEREAS, this appeal from an order of the fire commissioner; premises 350-358 West 34th street, south side, 49 ft. east of Ninth avenue and 351-359 West 33rd street (Block No. 757, Lot No. 66), Borough of Manhattan, was granted by the board March 17, 1942, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on March 17, 1942 so that as amended the resolution shall read:

"Resolved, that the order of the fire commissioner, No. 13141-LF, Item No. 3, be and it hereby is modified and that the appeal be and it hereby is granted on condition that there shall be sprinkler heads fed from the domestic water supply line of the building in all rooms in the cellar used for storage or checking including the rooms now sprinklered, namely, the carpenter shop, waste paper room and tailor shop; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as varied by the Board under Cal. No. 896-28-BZ."

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

29-35-SA.

APPLICANT—The Aetna Oil Burner Company, owner.

SUBJECT—Application reopened May 11, 1937, re amendment of resolution—re Aetna Range Oil Burner.

APPEARANCES—

For Applicant: None.

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ACTION OF BOARD—Application for approval withdrawn, on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

991-39-SM.
APPLICANT—Coyne and Delany, owners.
SUBJECT—Delany Vacuum Breaker for Elevated Ballcocks, Model VB No. 92, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application for approval withdrawn, on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

992-39-SM.
APPLICANT—Coyne and Delany, owners.
SUBJECT—Delany Vacuum Breaker for High Tank Ballcocks, Model VB-No. 92, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application for approval withdrawn, on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

928-39-SM.
APPLICANT—E. E. Souther Iron Company, owner.
SUBJECT—Masterbilt Neon Truck Sign for Six-Volt operation, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application for approval dismissed.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

785-39-SM.
APPLICANT—Maurice A. Knight, owner.
SUBJECT—Knightware Acid Neutralizing Sumps, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application for approval dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (785-39-SM)

WHEREAS, Maurice A. Knight, owner, filed on June 14, 1939, an application with the Board of Standards and Appeals for approval of the material known as Knightware Acid Neutralizing Sumps; and
WHEREAS, the applicant failed to answer a communication from the Board, and at the hearing there was no appearance made in behalf of the applicant.
Resolved, that the application for approval be and it hereby is *dismissed* for lack of prosecution.

158-41-SM.
APPLICANT—Roddis Lumber & Veneer Company, owner; Roddis Plywood and Door Company, Incorporated, agent.
SUBJECT—Application for consideration—reopening and restoration to calendar—re Roddis Protex 45 Door, approval of (previously withdrawn).
APPEARANCES—
For Applicant: Paul Feldkamp.
ACTION OF BOARD—Application reopened and material approved.
THE VOTE TO REOPEN AND APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

Note—The report of the Committee on Tests and the resolution of the Board relative to the approval of the Roddis Protex 45 Door, will be printed in a subsequent issue of the Bulletin, pending the submission by the applicant of drawings capable of reproduction for Figure 1, as referred to in the report of the Committee on Tests.

195-42-SM.
APPLICANT—Technicraft Company, Inc., owner.
SUBJECT—Lumiplast (Luminous pigment to be used on exit signs), approval of.
APPEARANCES—
For Applicant: Monroe Rothschild.
ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.. 4
Negative: 0

THE RESOLUTION (195-42-SM)

WHEREAS, The Technicraft Company, Incorporated, owner, filed on March 12, 1942, an application with the Board of Standards and Appeals for approval of the material known as Lumiplast (Luminous Pigment to be used on exit signs); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 24, 1942.

Cal. No. 195-42-SM.
Subject: Lumiplast (Luminous pigment to be used on exit signs), approval of.

The Technicraft Company, Inc. of New York City, filed March 12, 1942 an application with the Board of Standards and Appeals for approval of "Lumiplast" luminous pigment to be used on exit signs and an electric light bulb colored red except for 15% of its area to be used to energize the paint, under the provisions of section 272, subdiv. 4 and 5, Labor Law, sections C26-279.0, C26-745.0 and C26-178.0,b Administrative Code.

This material is a paint with a base which becomes luminous in darkness after having been energized by daylight or by clear electric light bulbs. To provide the energy the applicant requests approval of an electric light bulb which is colored red as required except for a portion, approximately 15% of the area, which remains clear. This bulb is designed to fit into the socket so that this clear portion shines on the sign but is not visible to users of an exit. This luminous paint is intended to be used in the painting of the letters of new and existing exit signs so that these signs will glow when all lights are blacked out in an emergency. The basic pigments are 36 ounces of pigment to one gallon of clear lacquer or a paint of low acid

MINUTES

content. On existing signs the paint will be added to the existing red letters. The paints are furnished in yellow-green and in blue color.

This luminous paint and the bulb used to energize it has been inspected and tested by the Committee on Tests of the Board and found to function so that a sign painted with it glowed in complete darkness. Signs of this character are now required by the Office of Civilian Defense to be used over exits during black-outs. Laboratory reports of tests of luminous "exit" signs have been furnished by the applicant. Activation employed was from 15 and 25 watt bulbs. Three periods of time were used for activation with both sizes of bulbs, namely, five minutes, thirty minutes and one hour. The signs were conditioned for 48 hours in a dark room to completely deactivate any luminescence which might be present. They were then activated as described in a 100 ft. long dark room. The signs were placed on the wall at the end of this room, each sign shielded from the other signs. All signs were viewed from a distance of 100 ft. and showed a distinct brilliant glow clearly visible at this distance but not distinct as to legibility. The maximum distance for clear legibility was 45 ft. immediately after exposure. Signs exposed under a 25 watt lamp showed more glow than those exposed to a 15 watt lamp. The 30 min. exposure showed more glow than the 5 min., but there was little difference between the 30 min. and the 60 min. exposures. At the end of one hour the greatest distance the glow was visible was 80 ft. while the greatest for full legibility was 20 ft. This luminosity decreased with the passage of time without reenergizing so that after 10 hours the signs showed a glow at 7 ft. but legibility was only fair at one or two feet.

On the basis of the inspection and test by the Committee, the report of laboratory tests filed by the applicant and the requirements of the Office of Civilian De-

fense it is recommended that "Lumiplast" luminous pigment be approved for use on exit signs energized by bulbs colored red except for a 15% portion to be left clear, under C26-178.0,b for use in New York City under the provisions of Section 272, subdivisions 4 and 5, Labor Law, Section C26-279.0, C26-745.0, Administrative Code and Section 40, Multiple Dwelling Law, provided the containers of the pigment and the treated bulbs be labeled "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 195-42-SM," and provided further that the bulbs are so placed in the sockets as to have the uncolored portion reflect on the sign so not to nullify the exit sign requirements; that this approval shall be limited to the duration of the existing emergency.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Lumiplast (Luminous Pigment to be used on exit signs), *on condition* that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Adjourned: 5:10 P. M.

JOSEPH J. DOYLE, Chief Clerk.

Copies of the Official Directory of the City of New York for the year 1942 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, five cents per copy must be added for postage.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 28

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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42-A.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

COURT DECISION

In the Matter of Chotapeg v. Bullova:—The defendant's buildings at 1882-1884 and 1888-1890 Second Avenue were demolished in 1938, leaving plaintiff's building standing alone with a party wall on the side. Plaintiff alleged that the defendant neglected to "bend over the anchors at the beam ends" and "brick in all open beam holes", thereby causing damage from leakage. Under the Code (Section C26-568.0a), the owner of the structure to be demolished is required to bend over anchors and brick up beam holes in a party wall. If he fails to do so within a reasonable time after notice to him by the Borough Superintendent at the request of the person aggrieved, the Borough Superintendent may proceed to have the work done and the cost may become a lien against the property (C26-569.0).

Mr. Justice Eder dismissed the action for damages, stating in part "that the Legislature made no provision (in C26-204.0 Judicial Remedies), authorizing the institution (by a private party) of an action at law to enforce the provision" and "limited (the enforcing power) to the Borough Superintendent alone".

(Under Cal. Nos. 818 and 819-40-BZ the Board permitted the premises either side of the building in question to be occupied for parking and storage.) (N. Y. Law Journal, June 23, 1942.)

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to July 7, 1942.

- | <i>Cal. No.</i> | <i>Dept.</i> | <i>Premises Affected</i> |
|-----------------|--------------|---|
| 525-42-BZ | H.B.M. | 204-232 West 64th street, south side, 203-219 and 225-231 West 63rd street, north side, 100 ft. west of Amsterdam avenue (Block No. 1155, part of Lot No. 14), Borough of Manhattan, Decision re Certificate of Occupancy. |
| 526-42-A | F.D. | 60 South 4th street (rear), southeast corner of Wythe avenue and 359 Wythe avenue, east side, 80 ft. south of South 4th street (Block No. 2442, Lot No. 7), Borough of Brooklyn, Decision re 90735-L.C. |
| 527-42-A | F.D. | 667-675 Washington street and 279 West 10th street, northeast corner (Block No. 631, Lot No. 1), Borough of Manhattan, 31272-C. |
| 528-42-BZ | H.B.M. | 235 East 34th street, north side, 150 ft. west of Second avenue and 240-246 East 35th street (Block No. 915, Lot Nos. 22, 38, 39, 40 and 41), Borough of Manhattan, Amendment to Alt. 36-42. |
| 529-42-A | H.B.B. | 281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn, Alt. 387-42. |
| 530-42-BZ | H.B.M. | 360-374 Sixth avenue, east side, from Washington place to Waverly place, 126-130 Waverly place and 87 Washington place (Block No. 552, Lot No. 37); (entire block front), Borough of Manhattan, Decision re Certificate of Occupancy. |
| 531-42-A | H.B.M. | 347 Greenwich street, east side, 100 ft. 4 in. north of Jay street (Block No. 180, Lot No. 23), Borough of Manhattan, Alt. 733-42. |
| 532-42-A | F.D. | 3511 Peartree avenue, west side, 238.62 ft. south of Boston road (Block No. 5282, Lot No. 15), Borough of The Bronx, 31084-L. C. |
| 533-42-BZ | H.B.B. | 2242-2262 Church avenue, south side, 206 ft. 8½ in. west of Bedford avenue (Block No. 5103, Lot Nos. 42, 43 and 45), Borough of Brooklyn, Alt. 851-42. |
| 534-42-A | F.D. | 119 West 24th street, north side, 225 ft. west of Sixth avenue (Block No. 800, Lot No. 25), Borough of Manhattan, 30500-L. C. and Decision. |
| 535-42-A | F.D. | 282 Front street, north side, 124 ft. 3 in. west of Roosevelt street (Block No. 108, Lot No. 21), Borough of Manhattan, 29904-L. C. and Decision. |
| 536-42-BZ | H.B.Q. | 34-12 10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32-45 inclusive), Long Island City, Borough of Queens, N. B. 912-42. |

537-42-A—H.B.Q.—137-07 New York boulevard, west side, 40 ft. south of 137th avenue (Block No. 3076, Lot No. 8), South Jamaica, Borough of Queens, Alt. 1115-42.

538-42-A—H.B.B.—460-466 Smith street and 202-218 Huntington street, southwest corner (Block No. 476, Lot No. 19), Borough of Brooklyn, Alt. 1081-42.

539-42-BZ—H.B.B.—244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn, B. N. 1225-42.

540-42-A—H.B.B.—651-655 Hicks street and 103 Rapel-yea street, northeast corner (Block No. 364, Lot Nos. 1 and 42), Borough of Brooklyn, Oil Burner Applic. 1785-42.

541-42-A—F.D.—1640 Centre street, east side, 350-30 ft. north of Wyckoff avenue (Block No. 2840, Lot No. 28), Ridgewood, Borough of Queens, 92003-L. C.

542-42-S—H.B.M.—682 Sixth avenue, east side, 98 ft. 9 in. south of West 22nd street (Block No. 823, Lot No. 4), Borough of Manhattan, Alt. 828-42.

543-42-A—H.B.M.—682 Sixth avenue, east side, 98 ft. 9 in. south of West 22nd street (Block No. 823, Lot No. 4), Borough of Manhattan, Alt. 828-42.

544-42-A—H.B.M.—118 Avenue D, east side, 70.10 ft. north of East 8th street (Block No. 365, Lot No. 4), Borough of Manhattan, M-889-42.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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		Last Publication in Bulletin
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Carbon Dioxide Liquefier, Rules	Mar.	10, 1942—Vol. 27, No. 10
Certificates of Occupancy, approved form	Nov.	25, 1941—Vol. 26, No. 47
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June	24, 1941—Vol. 26, No. 25
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
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Fire Retarding Rules for Garages, etc.	Dec.	16, 1941—Vol. 26, No. 50
Fireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	May	20, 1941—Vol. 26, No. 20
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 14
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Insulating Fibre Board Rules	Mar.	31, 1942—Vol. 27, No. 13
Oil Burner Rules	Jan.	13, 1942—Vol. 27, No. 2
Opening Protective Assemblies, Rules for Inspection of	Jan.	6, 1942—Vol. 27, No. 1
Paint, Varnish and Lacquer Spraying Rules	Nov.	25, 1941—Vol. 26, No. 47A
Platform Trucks, Specifications for	Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug.	3, 1937—Vol. 22, No. 31

CALENDAR

Last Publication to Bulletin

Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 25, 1941—Vol. 26, No. 47A
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Refrigerating Systems, Extract A.C. Aug.	26, 1941—Vol. 26, No. 34
Smoking in Factories, Rules for	June 30, 1942—Vol. 27, No. 26
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
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Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fireline Hose Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Burners for Industrial Use	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Pumps	Nov. 25, 1941—Vol. 26, No. 47A
Gas Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Paint, Varnish and Lacquer Spraying Equipment	Nov. 25, 1941—Vol. 26, No. 47A
Range Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Vacuum Breakers	Nov. 25, 1941—Vol. 26, No. 47A

JULY 14, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, July 14, 1942*, at at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

265-42-BZ—Application, March 31, 1942, under section 7h of the zoning resolution of Max Horn, applicant, on behalf of Long Island Railroad Company, owner (Merchants Association of Far Rockaway, Incorporated, lessee), to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 21-10 New Haven avenue (Clark street), north side, 100 ft. east of Beach 22nd (White) street, 21-11 and 21-12 Cornaga avenue, north and south sides, 103 ft. east of Beach 22nd (White) street, along Long Island Railroad, running through to Far Rockaway boulevard (Block No. 214, Lot No. 6—parking lot "B" and Block No. 215, Lot No. 7—parking lot "A"), Far Rockaway, Borough of Queens.

705-41-BZ—Application, July 31, 1941, under section 7h of the zoning resolution, of Max Horn, applicant, on behalf of Idella R. Koechel, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 170 Beach 105th street, northeast corner of Shore Front parkway (Block No. 643, Lot Nos. 10, 17 and 18), Rockaway Beach, Borough of Queens.

706-41-BZ—Application, July 31, 1941, under section 7h of the zoning resolution, of Max Horn, applicant, on behalf of Viola Murtha, owner, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 115-117 Beach 96th street, northwest corner of Shore Front parkway (Block No. 635, Lot No. 76), Rockaway Beach, Borough of Queens.

845-41-BZ—Application, September 30, 1941, under section 7h of the zoning resolution of Max Horn, applicant, on behalf of Brooklyn Trust Company (as trustee), owner, to permit partly in a residence use and partly in a business use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 14-07 Seagirt avenue and 121 Beach 14th street, southwest corner (Block No. 149, part of Lot No. 1), Far Rockaway, Borough of Queens.

260-42-BZ—Application, March 30, 1942, under section 7h of the zoning resolution, of Clayton G. Shirkey, applicant, on behalf of Mollie Lilienfeld, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 36-02 Sprayview avenue and 111 Beach 36th street, northwest corner (Block No. 317, part of Lot Nos. 83 and 87), Edgemere, Borough of Queens.

315-42-BZ—Application, April 15, 1942, under section 7h of the zoning resolution, of Clayton G. Shirkey, applicant, on behalf of Long Island Railroad Company, owner (88th Street Garage Corporation, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 219 Beach 88th street, west side, 184 ft. north of Rockaway Beach boulevard and 220 Beach 90th street (Block No. 574, Lot No. 4), Rockaway Beach, Borough of Queens.

117-42-BZ—Application, February 10, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Angelina Baldi, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1433-1435 De Kalb avenue, west side, 275 ft. north of Wilson avenue (Block No. 3235, Lot No. 44), Borough of Brooklyn.

1029-41-BZ—Application, November 27, 1941, under section 7c of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation and Staten Island Rapid Transit Railroad Company, owners, to permit in a business use district, the extension and reconstruction of an existing gasoline service station; premises 263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond.

Appeals from Administrative Decisions.

432-42-A—263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond.

495-42-A—263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond (under section 35, General City Law—re bed of mapped street).

HARRIS H. MURDOCK, *Chairman.*

JULY 14, 1942, 2 P. M.

Appeals from Administrative Decisions.

248-42-A—149-151 East 34th street, north side, 250 ft. west of Third avenue (Block No. 890, Lot No. 34), Borough of Manhattan.

445-42-A—208-210 West 56th street, south side, 122 ft. 7 in. east of Broadway (Block No. 1027, Lot No. 40), Borough of Manhattan.

466-42-A—307-313 Kingsland avenue, west side, 135 ft. south of Norman avenue (Block No. 2657, Lot No. 13), Borough of Brooklyn.

171-42-A—60-29 Catalpa avenue, north side, 169.10 ft. west of 60th lane (Block No. 3514, Lot No. 47), Ridgewood, Borough of Queens (under section 60, Multiple Dwelling Law) re installation of the sprinkler system in a proposed tenant garage in a multiple dwelling.

538-42-A—460-466 Smith street and 202-218 Huntington street, southwest corner (Block No. 476, Lot No. 19), Borough of Brooklyn.

264-42-A—171-06 Jamaica avenue, south side, 40.20 ft. west of 172nd street (Block No. 10212, Lot No. 17), Jamaica, Borough of Queens.

CALENDAR

506-42-A—47-19 Grand avenue, entire area, bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Buildings Nos. 40, 41, 48, 1R, 16, 30, 44, 66, 36 and Gate House); (Block No. 2257, Lot Nos. 2, 16 and 31; Block No. 2256, Lot Nos. 60, 61, 63, 150, 153 and 155; Block No. 2235, Lot Nos. 1, 225, 300 and 330; Block No. 2236, Lot Nos. 70, 75 and 30; Block No. 2588, Lot Nos. 1 and 50; Block Nos. 2589, 2590, 2595, 2603, 2604, 2605 and 2606, Lot No. 1; Block Nos. 2591, 2592, 2593 and 2594, Lot Nos. 1 and 34; Block No. 2596, part of Lot No. 1; Block No. 2600, Lot Nos. 1 and 45; Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44 and 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (under section 35, General City Law—re beds of the following mapped streets: 47th street (Rogers street), 48th street (Gilbert street), 49th street (Owens street), 50th street (Rice street), 51st street (Simpson street), 52nd street (Richey street), 53rd street (Sophie street), 54th street (Garrison street), Maspeth avenue, 49th street (Munich street), 49th place (Bremen street), 50th street (Berlin avenue) and 57th avenue (Creek avenue—Hanover avenue); (aluminum plant).

515-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens, N. B. 840-42.

516-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (Office Building, No. 40), N. B. 848-42.

517-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40, 44), Maspeth, Borough of Queens (Laboratory Building, No. 41), N. B. 849-42.

518-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50, and Block No. 2602, Lot Nos. 1, 37, 40, 44), Maspeth, Borough of Queens (Wash Room Building No. 48), N. B. 850-42.

519-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155,

Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (2 Rectifier Stations, Nos. 1R and 16), N. B. 851-42.

520-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (Transformer Service Building, No. 30), N. B. 852-42.

521-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (Machine Shop Building, No. 44), N. B. 853-42.

522-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2602, Lot Nos. 1, 37, 40, 44 and Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44 and 50), Maspeth, Borough of Queens (Gate House Building, No. 44), N. B. 872-42.

Appliances and Materials for Approval.

373-42-SA—Handy Folding Pail Co., Inc., Handy Folding Water Bucket, 10 and 12 Quart capacity.

170-42-SM—Inselbrie.

454-41-SM—Superior One Hour Hollow Steel Fire Door.

779-41-SM—Certain-Teed Gypsteel Precast Short Span Gypsum Roof Slabs (3" x 12" x 30" solid).

JULY 21, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, July 21, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

465-42-BZ—Application, June 11, 1942, under sections 7a and 7c of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of 8302 Atlantic Avenue Corporation, owner, to permit in a residence use district, the extension of an existing factory building by the construction and use of a new cellar; premises 83-02 to 83-20 Atlantic avenue, 94-01 to 94-15 83rd street, southeast corner and 94-02 to 94-16 84th street (Block No. 9014, Lot Nos. 1 and 11), Ozone Park, Borough of Queens.

CALENDAR

177-42-BZ—Application, March 4, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of John F. McKenna, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 582-610 86th street, southeast corner of Gatling place (Block No. 6054, Lot Nos. 19, 20, 22 and 27), Borough of Brooklyn.

371-42-BZ—Application, May 7, 1942, under sections 7f and 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Underwriters Trust Company (as trustee), owner (Bertha Friedman, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 6301-6323 11th avenue, east side, from 63rd to 64th streets, 1102-1112 63rd street and 1101-1111 64th street (Block No. 5738, Lot No. 1), Borough of Brooklyn.

406-41-BZ—Application, May 5, 1941, under section 7c of the zoning resolution, of A. Paul Loshen, applicant, on behalf of Samuel Litt, owner, to permit in a business use district, for a term of two (2) years, the erection of a lumber shed and the use of the premises as an office in connection with the lumber yard; premises 218-35 to 218-41 Hempstead avenue, north side, 195.50 ft. west of Springfield boulevard (Block No. 10766, Lot No. 47), Laurelton, Borough of Queens.

542-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Haganman, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 936 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

314-42-BZ—Application, April 15, 1942, under section 7h of the zoning resolution, of Union Parking Corporation, applicant and lessee, on behalf of Dry Dock Savings Institution, owner, to permit in a retail-1 use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 122-126 West 48th street, south side, 245 ft. west of Sixth avenue (Block No. 1000, Lot No. 43), Borough of Manhattan.

140-42-BZ—Application, February 18, 1942, under section 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of Anton Escherich, owner, to permit in a business use district, the erection and maintenance of a six (6) car garage on the same plot with an existing four (4) car garage; premises 2851-2853 Bailey avenue, west side, 498 ft. south of West 230th street (Block No. 3264, Lot No. 63), Borough of The Bronx.

10-42-BZ—Application, January 5, 1942, under section 7f of the zoning resolution, of Frank C. Keller, applicant, on behalf of Lina S. Kissam, owner, to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, Lot Nos. 37 and 45 and Block No. 10789, Lot Nos. 37, 38 and 43), Queens Village, Borough of Queens.

1101-41-BZ—Application, December 23, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit partly in a business use and partly in an unrestricted use district, the reconstruction of an existing gasoline service station; premises 451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn.

Appeals from Administrative Decisions.

481-42-A—451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn.

11-42-A—220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, parts of

Lot Nos. 37 and 45 and Block No. 10789, Lot Nos. 38 and 43), Queens Village, Borough of Queens (under section 35, General City Law—re bed of mapped street—proposed 96th avenue).

HARRIS H. MURDOCK, *Chairman.*

JULY 21, 1942, 2 P. M.

Appeals from Administrative Decisions.

529-42-A—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn.

428-42-A—90-41 77th street, east side, 18 ft. north of 91st avenue (Block No. 8956, Lot No. 66), Woodhaven, Borough of Queens.

437-42-A—486 Seventh avenue, west side, 254 ft. 6 in. south of 16th street (Block No. 1056, Lot No. 41), Borough of Brooklyn.

Appliances and Materials for Approval.

333-39-SM—DeYorgi Bros. Concrete Block.

681-40-SA—Westinghouse Type B2 Interlock.

682-40-SA—Westinghouse Type BC Interlock.

683-40-SA—Westinghouse Type C Electric Contract.

699-40-SA—Westinghouse Type OC Oil Buffer.

701-40-SA—Westinghouse Type 126B Interlock.

727-40-SA—Westinghouse Type F Interlock.

728-40-SA—Westinghouse Type P Interlock.

743-40-SA—Westinghouse Type SC Contact.

744-40-SA—Westinghouse Type CH Contact.

767-40-SA—Westinghouse Types A-3 and A-3R Elevator Door Hangers.

768-40-SA—Westinghouse Types B-3 and B-3R Elevator Door Hangers.

1150-40-SA—Westinghouse Type FC Gate Contact.

424-42-SM—Jackson System (fastenings for Acoustical and Insulating Materials for Walls and Ceilings).

339-42-SM—Scovill Manufacturing Company Rubber Covered Hose Nozzle, Catalogue H-227 and Scoville Manufacturing Company Spike Sprinkler Cap, Catalogue H-250.

22-42-SM—Wolmanized Lumber.

JULY 23, 1942, 10 A. M.

Appeal from Administrative Decision.

440-42-A—2462-2470 (2434-2442 displayed) Cropsey avenue, west side, between Bay 37th and Bay 38th streets (Block No. 6928, Lot No. 1; Block No. 6942, Lot No. 93 and Block No. 6946, Lot No. 377), Borough of Brooklyn.

JULY 28, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, July 28, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

77-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Anagal Realty Company, Incorporated, owner, reopened November 5, 1941, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the maintenance and the extension of a gasoline service station (previously granted by the Board for a temporary period); premises 181-07 Horace Harding boulevard, northeast corner of Utopia parkway (Block No. 7065, Lot No. 5), Flushing, Borough of Queens.

228-42-BZ—Application, March 20, 1942, under section 7h of the zoning resolution, of Thomson Hill Land and Improvement Company, applicant and owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles;

CALENDAR

premises 39-16 48th avenue, southwest corner of 39th place (Block No. 206, Lot No. 18), Long Island City, Borough of Queens.

276-42-BZ—Application, April 1, 1942, under section 7c of the zoning resolution, of Joseph B. Lynch, applicant, on behalf of Louis Iervolino and Thomas Iervolino, owners, to permit in a residence use district, the reconstruction and change of occupancy of an existing garage building to a gasoline service station; premises 81 Rapelye street, northwest corner of Hicks street (Block No. 363, Lot No. 38), Borough of Brooklyn.

442-42-BZ—Application, May 28, 1942, under section 7e of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

349-42-BZ—Application, April 13, 1942, under sections 7h and 21 of the zoning resolution, of Herman Kron, applicant, on behalf of Emigrant Industrial Savings Bank, George Kraus and John Kraus, owners (J. K. Construction Company, Incorporated, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 359-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56, Borough of Manhattan).

508-42-BZ—Application, June 24, 1942, under section 21 of the zoning resolution, of William Shary, applicant, on behalf of S. E. R. Realty Corporation, owner (H. E. R. Laboratories, Incorporated, lessee), to permit in a residence use district, the extension in height of a business building; premises 457 West 46th street, north side, 175 ft. east of Tenth avenue (Block No. 1056, Lot No. 8), Borough of Manhattan.

143-42-BZ—Application, February 18, 1942, under sections 7a and 7c of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Five Eleven Realty Corporation, owner, to permit in a residence use district, the alteration and extension of a business use on the first (1st) story and, also, the extension and conversion of occupancy from residence use to business use of the second (2nd) story of an existing building; premises 509 East 72nd street, north side, 173 ft. east of York avenue (Block No. 1484, Lot No. 8), Borough of Manhattan.

31-33-BZ—Application of Lama and Proskauer, applicants, on behalf of Packer Service Center, Incorporated, owner, reopened November 18, 1941, under sections 7f and 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of years, the use of a plot of ground as a gasoline service station and, also, for the parking and storage of more than five (5) motor vehicles; premises 610-622 Utica avenue, northwest corner of Winthrop street (Block No. 4603, Lot No. 40), Borough of Brooklyn.

536-42-BZ—Application, July 3, 1942, under sections 21 and 7c of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of General Bronze Corporation, owner, to permit in a business use district, the erection and maintenance of a building to be used for metal manufacturing; premises 34-12 10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45, inclusive), Long Island City, Borough of Queens.

425-42-BZ—Application, May 22, 1942, under sections 7i and 21 of the zoning resolution, of Bishop, McCormick and Bishop, applicants and lessees, on behalf of Bismac Corporation, owner, to permit partly in a business use and partly in a residence use district, for a term of years, the conversion of occupancy of a building to a motor vehicle repair shop (this case was previously acted upon by the Board); premises 139-29 Hillside avenue, north side, 103.40 ft. west of 143rd street (Block No. 9698, Lot Nos. 21 and 23), Jamaica, Borough of Queens.

1023-41-BZ—Application, November 27, 1941, under section 7h of the zoning resolution, of Max Horn, applicant, on behalf of St. Georges Church, owner (Harry Zeitlin, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 162 Beach 110th street, northeast corner of Ocean Promenade (Block No. 654, Lot No. 42, Rockaway Beach, Borough of Queens).

696-41-BZ—Application, July 25, 1941, under section 7h of the zoning resolution, of David Koss, applicant, on behalf of Edward Schneider, Anthony Gazzola, Charles Parma and Celestine Parma Powers, owners (Julia Murphy, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 101-15 Rockaway Beach boulevard, south side, 50 ft. east of Beach 102nd street and 184 Beach 102nd street (Block No. 640, Lot No. 11), Rockaway Beach, Borough of Queens.

893-41-BZ—Application of Irving M. Fenichel, applicant, on behalf of Stapleton Service Laundry, Incorporated and Margreen Realty Company, Incorporated, owners (Stapleton Service Laundry, Incorporated, lessee), reopened June 23, 1942, under section 21 of the zoning resolution, to permit in a manufacturing use district, the conversion of occupancy of part of an existing building to a laundry (including dry cleaning use); premises 46-62 Greenleaf avenue and 141-157 Marion street, northwest corner (Block No. 237, Lot Nos. 73 and 69), West New Brighton, Borough of Richmond.

505-42-BZ—Application, June 23, 1942, under section 7h of the zoning resolution, of John P. Riley, applicant and Chief Engineer, on behalf of New York City Housing Authority, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 278-292 Tenth avenue, east side, between West 26th and West 27th streets, 455-463 West 26th street and 446-460 West 27th street (Block No. 724, part of Lot No. 1), Borough of Manhattan.

525-42-BZ—Application, July 1, 1942, under section 7h of the zoning resolution, of Julius Soman, applicant and Assistant Engineer, on behalf of New York City Housing Authority, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 204-232 West 64th street, south side and 203-219 and 225-231 West 63rd street, north side, 100 ft. west of Amsterdam avenue (Block No. 1155, part of Lot No. 14), Borough of Manhattan.

1052-41-BZ—Application, December 4, 1941, under section 7e of the zoning resolution, of Frank Straub, on behalf of Frederick Figge Company, owner, to permit in a business use district, the conversion of occupancy of an existing building to factory use; premises 300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

Appeal from Administrative Decision.

456-42-S—300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 28, 1942, 2 P. M.

Appeals from Administrative Decisions.

383-42-A—383 Third avenue, east side, 205 ft. south of Third street (Block No. 980, Lot No. 1), Borough of Brooklyn.

400-42-A—134-184 43rd street and 4302-4320 Second avenue, southwest corner (Block No. 726, Lot No. 1), Borough of Brooklyn.

553-42-A—160 Scott avenue, southeast corner of Scholes street (Block No. 2972, Lot Nos. 1 and 25), Borough of Brooklyn (under section 35, General City Law—re bed of mapped street—Seneca avenue).

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 7, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning, June 30, 1942 and Tuesday afternoon, June 30, 1942, were approved as printed in Bulletin No. 27, Vol. 27.

ZONING CASES

77-32-BZ.

APPLICANT—Lama and Proskauer, for Anagal Realty Company, Incorporated, owner.

SUBJECT—Application reopened November 5, 1941 (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the maintenance and the extension of a gasoline service station (previously granted by the Board for a temporary period).

PREMISES AFFECTED—181-07 Horace Harding boulevard, northeast corner of Utopia parkway (Block No. 7065, Lot No. 5), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Joseph Lagana.
For Opposition: Emma K. Dobbs, Benedetta De Cicco, Rose De Cicco, Edwin J. Zounck, Joseph Zounck, Frederick J. Zink and Stefan Krist.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 28, 1942 at 10 A. M. for inspection by a committee of the Board, and for decision by the Board, without further argument.

1029-41-BZ.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation and Staten Island Rapid Transit Railroad Company, owners.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the extension and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—263 Bay street and 16 Hannali street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.
ACTION OF BOARD—Laid over to July 14, 1942 at 10 A. M. on request of applicant.

10-42-BZ.

APPLICANT—Frank C. Keller, for Lina S. Kissam, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7f of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, Lot Nos. 37 and 45 and Block No. 10789, Lot Nos. 37, 38 and 43), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 21, 1942 at 10 A. M. for inspection by a committee of the Board, and for joint hearing with Cal. No. 11-42-A.

228-42-BZ.

APPLICANT—Thomson Hill Land and Improvement Company, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—39-16 48th avenue, southwest corner of 39th place (Block No. 206, Lot No. 18), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: James J. Dunn.
For Opposition: Samuel Kirschenbaum, James Chiren, Edward Sidorowicz, Helen Mardovich, A. M. Amoslini, Mrs. John Still and Sarkis Kiduzjian.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 28, 1942 at 10 A. M. for inspection by a committee of the Board, and for decision by the Board, without further argument.

276-42-BZ.

APPLICANT—Joseph B. Lynch, for Louis Iervolino and Thomas Iervolino, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the reconstruction and change of occupancy of an existing garage building to a gasoline service station.

PREMISES AFFECTED—81 Rapelyea street, northwest corner of Hicks street (Block No. 363, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch, Louis Iervolino, Thomas Iervolino and Rev. William J. Farrell.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 28, 1942 at 10 A. M. for inspection by a committee of the Board, and for decision by the Board, without further argument.

807-40-BZ.

APPLICANT—Richard Stiegler, owner.

SUBJECT—Application reopened March 31, 1942 (re decision of the acting borough superintendent) under sections 7f and 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied).

PREMISES AFFECTED—1168-1184 River avenue, east side, 129 ft. north of McClellan street (Block No. 2488, part of Lot Nos. 1 and 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Meyer Stern, Harry Eisen, Richard Steigler and Clayton Bixley.
For Opposition: Abraham Wiland, Earl I. Gallant and Samuel Horwitz.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (807-40-BZ)

WHEREAS, this application, under sections 7h and 21 of the zoning resolution, to permit in a business use district,

MINUTES

for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 1168-1178 River avenue, east side, 129 ft. north of McClellan (Block No. 2488, part of Lot No. 1), Borough of The Bronx, was denied by the Board January 28, 1941; the decision of the Board sustained by the court; and

WHEREAS, Richard Stiegler, owner, requested reopening of the application under sections 7f and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1168-1184 River avenue, east side, 129 ft. north of McClellan street (Block No. 2488, Part of Lot Nos. 1 and 12), Borough of the Bronx; and

WHEREAS, this application was reopened by vote of the Board March 31, 1942, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that River avenue, McClellan street and East 167th street are in business use districts; Gerard avenue is in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, dated January 31, 1942, reads:

"Please be advised that your application for a certificate of occupancy for the parking and storage of more than five (5) motor vehicles at the above premises, is *denied*, as the premises are located in a business and residence district, where such use is prohibited by Art. 2, Sec. 4 and Art. 2, Sec. 3, respectively, of the Zoning Resolution of the City of New York."

and

WHEREAS, the premises, part of a larger parcel of ground, consist of a plot having a frontage of 150 ft. and a depth of 115 ft. It is proposed to use the plot, for a term of two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision f, of the zoning resolution, and that the applicant failed to substantiate a basis of appeal under section 21 thereof and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

704-41-BZ.

APPLICANT—Max Horn, for Edward W. Stellges, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five motor vehicles.

PREMISES AFFECTED—137 Beach 67th street, west side, 161.78 ft. north of Boardwalk and 138 Beach 68th street (Block No. 360, Lot No. 85 and part of Lot No. 12), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3

Negative: Commissioner Savage 1

THE RESOLUTION (704-41-BZ)

WHEREAS, Max Horn, for Edward W. Stellges, owner, filed on July 31, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 137 Beach 67th street, west side, 161.78 ft. north of Boardwalk and 138 Beach 68th street (Block No. 360, Lot No. 85 and part of Lot No. 12), Arverne, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 66th street, Beach 67th street and Boardwalk are in residence use districts; and

WHEREAS, the decision of the borough superintendent, dated July 9, 1941, re Misc. Appl. No. 6211-41, reads:

"1. The use of these premises for the parking of motor vehicles in a Residence district is contrary to Art. 2, Sec. 3 of the Zone Resolution.

Not further considered."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 102 ft. on Beach 68th street, 178 ft. on Beach 67th street and a distance of 202 ft. along the south lot line. It is proposed to use the premises for a term of two (2) years, for the parking of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years, to permit the premises on Beach 67th street with a frontage of approximately 175 ft. and a depth of 100 ft. to be occupied for the transient parking of motor vehicles to be mainly those who are customers of the adjoining bathhouse to the south located on the Boardwalk on Lot No. 1, Block 360 under same ownership; that the plot shall be leveled substantially to the grade of 67th street and shall be enclosed with a substantial fence along the interior lot lines and on the street line except for an opening to 67th street of not more than 15 ft. in width; that no signs shall be erected on the premises except that there may be a sign attached to the fence advertising the transient parking use and the rates charged; that this lot shall be under the operation of persons in charge of the adjoining bathhouse; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

812-41-BZ.

APPLICANT—Lama and Proskauer, for C. J. Neumann Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the reconstruction and extension of a gasoline service station.

PREMISES AFFECTED—1916-1922 Flatbush avenue and 3822-3832 Avenue L, southwest corner (Block No. 7815, Lot Nos. 32 and 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

MINUTES

THE RESOLUTION (812-41-BZ)

WHEREAS, Lama and Proskauer, for C. J. Neumann Realty Corporation, owner, filed on September 19, 1941, an application under sections 7c and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the reconstruction and extension of a gasoline service station; premises 1916-1922 Flatbush avenue and 3822-3832 Avenue L, southwest corner (Block No. 7815, Lot Nos. 32 and 35), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatbush avenue is in a business use district; Avenue L and Kings highway are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, dated September 2, 1941 re Alt. Application No. 3864-1941, reads:

"The extension of a gasoline service station and the extension of an accessory building on a plot partially in a residence use district and partially in a business use district is contrary to Art. 11, Sec. 3 and sec 4(a) sub. 46 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 60 ft. on Flatbush avenue, 93 ft. 5 in. on Avenue L and a distance of 100 ft. along the westerly lot line. An irregular shaped area at the southwest corner of the plot is in the residence use district, while the remainder of the plot is in the business use district. It is proposed to add an extension (26 ft. by 36 ft.) to the existing accessory building, and also, to increase the area of the gasoline service station by the inclusion of an area abutting to the west, having a frontage approximately 40 ft. on Avenue L and a depth of 100 ft.; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7c, thereof, to permit the alteration, rearrangement and extension of the legally existing gasoline service station substantially as indicated on revised plans marked "Received June 23, 1942" with a frontage on Flatbush avenue of 60 ft. and a depth along Avenue L of 93 ft. 5 in., on condition that the portion of the plot between the accessory building and the streets shall be leveled and cement paved; that the balance of the plot where not occupied by the accessory building and planting may be surfaced with crushed bluestone treated with a suitable binder; that on the rear and side lot lines where masonry walls of adjoining buildings do not occur there shall be erected a masonry fence constructed of face brick to a height of not less than 6 ft. and suitably coped in accordance with the design as indicated; that the proposed extension to the existing accessory building shall be constructed of fireproof and masonry materials throughout except that the roof beams and roof boarding, window frames and sash, door frames and doors may be of wood provided the greasing equipment is of the hydraulic type; that the planting areas shall be maintained toward the south along the interior lot line and to the north along Avenue L as indicated; that such planting areas shall be protected with a concrete curbing not less than 6" by 6" above grade; that the existing gasoline pumps shall be removed and no pumps shall be located nearer than 10 ft. to the street building line of Flatbush avenue; that the curb cuts shall not exceed two to Flatbush avenue, one 16 ft. and one 18 ft. in width and two to Avenue L, one 20 ft. and one 16 ft. 6 in. in width all as at present located; that there shall be erected at the intersection of Flatbush avenue and Avenue L within the

building line a block of concrete extending 5 ft. along each street line; that such block shall be not less than 1 ft. in height and may be triangular or segmental in shape; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps excluding all roof signs and all temporary signs but permitting the erection of a post-standard within the building lines near the intersection for supporting a sign which may be illuminated advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that the boiler room shall be enterable only from the exterior; that these premises shall be occupied only as a gasoline selling station including the washing and greasing of cars; that there shall be no parking or storage of motor vehicles other than those being serviced and no motor vehicle repairing; that no portable gasoline tanks shall be used on or in front of the premises; that the second story of the present portion of the accessory building shall be occupied only for locker rooms and the storage of packaged material; that the plan marked "Received June 23, 1942" is hereby approved as being in substantial compliance with the requirements of this resolution; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

213-42-BZ.

APPLICANT—William S. Worrall, Jr., for Cord Meyer Development Company, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—69-02 to 69-40 Austin street and 102-30 to 102-38 69th (Stafford) avenue, southeast corner (Block No. 3234, Lot No. 110 and part of Lot No. 150), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: William S. Worrall, Jr.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (213-42-BZ)

WHEREAS, William S. Worrall, Jr., for Cord-Meyer Development Company, owner, filed on March 18, 1942, an application under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 69-02 to 69-40 Austin street and 102-30 to 102-38 69th (Stafford) avenue, southeast corner (Block No. 3234, Lot No. 110 and part of Lot No. 150), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning building zone resolution show that Austin street and Burns street are each in unrestricted and business use districts; 69th road is in unrestricted and retail use districts; 69th avenue is in business and retail use districts; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 1203-42, dated March 11, 1942, reads:

"1. The extension of a parking lot and storage of more than five cars into a business district is contrary to Art. 2, Section 4, subdivision 15 of the Zoning Resolution."

and

WHEREAS, the premises, part of a larger plot of ground, consist of a plot having a frontage of 100 ft. on Austin

MINUTES

street and 90 ft. on 69th avenue. It is proposed to use the plot, for a term of two (2) years, for the parking and storage of more than five (5) motor vehicles. It is also proposed to use this plot in conjunction with the remainder of the larger plot which is located in an unrestricted use district and occupied as a gasoline service station and for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7h thereof, for a term of two (2) years, to permit the plot to be occupied for the parking and storage of more than five (5) motor vehicles in conjunction with the similar use on the adjoining lot in the unrestricted district, on condition that the plot shall be leveled substantially to the grade of Austin street and shall be surfaced and bound with material similar to the surfacing on the adjoining plot; that the fence between this lot and the adjoining lot may be removed and a similar fence shall be constructed along the interior line along the Long Island Railroad property and on the street building lines of Stafford avenue and Austin street; that no additional entrances shall be constructed or maintained; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution.

283-42-BZ.

APPLICANT—Abraham J. Halprin, for Hortense C. Badman, executrix, Estate of Theodore Badman, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—222-228 East 34th street, south side, 275 ft. east of Third avenue (Block No. 914, Lot Nos. 46 to 49, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Isidore Sohn.

For Opposition: Morris D. Dubin and John Ryan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT:

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (283-42-BZ)

WHEREAS, Abraham J. Halprin, for Hortense G. Badman, executrix of Estate of Theodore Badman, owner, filed on April 6, 1942, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles; premises 222-228 East 34th street, south side, 275 ft. east of Third avenue (Block No. 914, Lot Nos. 46 to 49 inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that East 34th and East 33rd street are each in a residence and business use districts; Third avenue and Second avenue are in business use districts; and

WHEREAS the decision of the borough superintendent dated March 27, 1942 and as amended June 10, 1942, reads:

"With reference to your application dated March 25, 1942, for a certificate of occupancy for use of above

premises for a parking lot for storage and parking of more than five (5) motor vehicles, we wish to advise you that said application has been denied for the reason that premises are located in a residence district where this occupancy is prohibited by Section 3, Article 2, Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 88 ft. and a depth of 98 ft. 9 in. It is proposed to use the plot, for a term of two (2) years, for the transient parking of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was not a proper case in which to exercise discretion to grant under section 7h of the zoning resolution.

Resolved, that the decision of the borough superintendent be and it hereby is affirmed and that the application be and it hereby is denied.

APPEALS FROM ADMINISTRATIVE DECISIONS.

432-42-A.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation and Staten Island Rapid Transit Railroad Company, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 14, 1942 at 10 A. M. on request of applicant.

495-42-A.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation and Staten Island Railroad Company, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond (under section 35, General City Law re bed of mapped street).

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 14, 1942 at 10 A. M. on request of applicant.

Adjourned: 1:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 7, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

1469-39-BZ.

APPLICANT—Lama and Proskauer, for Lubritorium, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

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PREMISES AFFECTED—78-02 Roosevelt avenue, southeast corner of 77th street (Block No. 1488, Lot No. 1), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn, on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

1220-39-BZ.

APPLICANT—Ansel P. Verity and George Deylen, owners.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—364-368 Empire boulevard, south side, 210 ft. 2½ in. east of Nostrand avenue (Block No. 1316, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lewis Hoffman.

ACTION OF BOARD—Request to reopen withdrawn, after argument.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

731-41-BZ.

APPLICANT—Michael Marlo, for City Bank and Farmers Trust Company, owner.

SUBJECT—Application for consideration—reopening and rehearing on alleged new facts (previously denied) re Application (decision of the borough superintendent) under section 7h of the zoning resolution, to permit upon a plot located partly in an unrestricted use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—119-125 7th avenue and 147-167 West 17th street, northeast corner (Block No. 793, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron and R. Brown.

For Opposition: Louis A. Jackson.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (731-41-BZ)

WHEREAS, this application under section 7h of the zoning resolution, to permit upon a plot located partly in an unrestricted use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 119-125 Seventh avenue, and 147-167 West 17th street, northeast corner (Block No. 1793, Lot No. 1), Borough of Manhattan, was denied by the Board January 13, 1942; and

WHEREAS, Michael Marlo, for City Bank and Farmers Trust Company, owner, requested reopening of the application and consideration by the Board on the basis of alleged new facts; and

WHEREAS, the Board deemed that no new facts were presented as would justify a rehearing, and that the existing

violation of use as to illegal parking and storage and illegal advertising signs on fences should not be considered as a basis for a rehearing.

Resolved, that the request to reopen be and it hereby is denied.

375-23-BZ.

APPLICANT—William I. Hohausser, for 129 East Fordham Road Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the conversion of occupancy of the second (2nd) story of an existing business building (previously granted by the Board) from offices to bowling alleys.

PREMISES AFFECTED—2470-2482 Morris avenue and 29-39 East Fordham road, northeast corner (Block No. 3174, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Wm. I. Hohausser and Wm. Hagedorn.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (375-23-BZ)

WHEREAS, this application, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a business building, affecting premises 2470-2482 Morris avenue and 29-39 East Fordham road, northeast corner (Block No. 3174, Lot No. 5), Borough of The Bronx, was granted by the Board April 6, 1926, on certain conditions; resolution amended July 26, 1929 and April 21, 1942, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 6, 1926, as amended through April 21, 1942, by adding thereto:

"that in the event the owner desires to comply with the resolution as herein amended on July 26, 1929, except as to minor rearrangement as indicated on revised plans marked 'Received June 30, 1942' such arrangement as indicated on such revised plans may be approved, permitting continuation of existing openable windows in present offices facing Morris avenue and one window in office facing rear court, provided that in all other respects the requirements of this resolution, as amended through April 21, 1942 are complied with."

APPEALS FROM ADMINISTRATIVE DECISIONS.

248-42-A.

APPLICANT—Leo D. Holzer, for Louis Carreau, owner.

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—149-151 East 34th street, north side, 250 ft. west of Third avenue (Block No. 890, Lot No. 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Leo D. Holzer.

ACTION OF BOARD—Laid over to July 14, 1942 at 2 P. M. for further consideration by the Board.

445-42-A.

APPLICANT—Hotel Park View, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

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PREMISES AFFECTED—208-210 West 56th street, south side, 122 ft. 7 in. east of Broadway (Block No. 1027, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to July 14, 1942 at 2 P. M. on telephonic request of applicant.

466-42-A.

APPLICANT—Irving M. Fenichel, for Celia and Julia Motzkin, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—307-313 Kingsland avenue, west side, 135 ft. south of Norman avenue (Block No. 2657, Lot No. 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Fenichel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 14, 1942 at 2 P. M. for Board to obtain records from Division of Combustibles.

529-42-A.

APPLICANT—Sidney L. Strauss, for Clarostat Manufacturing Company, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42-44-45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 21, 1942 at 2 P. M. for inspection by a committee of the Board, and for further consideration by the Board.

307-42-A.

APPLICANT—James A. Tartarilla, owner (Tardie Paper Stock Co., lessee).

SUBJECT—Appeal from a decision re orders of the fire commissioner.

PREMISES AFFECTED—509-511 East 18th street, north side, and 508-510 East 19th street, south side, 140 ft. east of Avenue A (Block No. 976, Lot Nos. 9, 50 and 51), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn, on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

308-42-S.

APPLICANT—Harry Borsky for Atlantis Steel Partition Co., Inc., lessee; 116 Troutman Street, Inc., owner.

SUBJECT—Variation of the labor law as cited in an order of the fire commissioner.

PREMISES AFFECTED—114-124 Troutman street, east side, 210 ft. 6 in. south of Central avenue (Block No. 3184, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Schantz, E. T. Lindbloom and W. S. Schneider.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, in view of action taken on Cal. No. 690-21-S.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

449-42-A.

APPLICANT—Seelig and Finkelstein, for Benmar Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—654 Powell street, west side, 110 ft. 5 in. south of New Lots avenue (Block No. 3862, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Finkelstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

450-42-S.

APPLICANT—Seelig and Finkelstein, for Benmar Realty Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—654 Powell street, west side, 110 ft. 5 in. west of New Lots avenue (Block No. 3862, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Finkelstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

509-42-A.

APPLICANT—Keefe and Keefe, Incorporated, lessee, for Willco Holding Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—56 East 88th street, south side, 210 ft. 6-2/3 in. west of Park avenue (Block No. 1499, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn, on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

384-42-A.

APPLICANT—John M. Baker, for York Feather and Down Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—40 Hopkins street, south side, 400 ft. west of Marcy avenue (Block No. 1724, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: John M. Baker.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

MINUTES

THE RESOLUTION (384-42-A)

WHEREAS, John M. Baker, for York Feather and Down Corporation, owner, filed on May 11, 1942, an appeal from a decision of the borough superintendent; premises 40 Hopkins street, south side, 400 ft. west of Marcy avenue (Block No. 1724, Lot No. 25), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 19, 1942, on Alt. Applic. No. 951-42, reads:

"1. Proposed use, light mfg. and storage of feathers on existing frame bldg. in violation of Secs. 2-1-3-5 and 4-2-1 of Bldg. Code.

2. New extension to be built non F.P. as per Sec. 4-2-1, Code.

3. Min. floor loads to be provided for is 75# per sq. ft. Sec. 7-3-2-3, Code."

and

WHEREAS, the decision of the borough superintendent, dated June 19, 1942 on Alt. Applic. No. 951-42 (Fire Prevention) reads:

"1. Chapter 19.149.0 of the Administrative Code prohibits the storage of combustible fibre (feathers) in a bldg. of frame construction."

and

WHEREAS, the applicant states that the building was three stories (35 ft.) in height; 24 ft. by 100 ft. in area; of Class 4 construction; erected prior to 1900; located in an unrestricted use district; and occupied: cellar, storage; first floor, old law tenement, two families; second floor, old law tenement, two families; third floor, old law tenement, two families; and is now one story in height; 25 ft. by 100 ft. in area; of Class 4 construction; and occupied, cellar, storage of merchandise, no persons; first floor, light manufacturing and storage, 4 persons; and

WHEREAS, Violation No. 150 of 1942 was issued for removing third story and erecting extension without a permit and occupying the building for manufacturing purposes without a certificate of occupancy; and

WHEREAS, the applicant contends that the building was purchased in 1941 for the extension of the owners plant adjoining; that these premises originally were occupied on the front by an old law frame tenement for 6 families with a frame stable 25 ft. by 20 ft. in area at the rear of the lot; that in 1941 the owner entered into a contract with the U. S. Government which required increased production; that to meet the requirements of increased production it was necessary to install two large separating chambers for the culling and cleaning of feathers and provide additional storage space; that to provide temporary space, alterations to the existing frame building were made without filing plans, these alterations consisted of the following: third floor and all interior partitions and stairs were removed; new first floor and roof beams were erected using the existing exterior walls which were brick filled between studs; new 8"-I steel girder supported on concrete filled columns was installed in the cellar on 2' x 2' x 12" concrete base; the rear stable was demolished and a frame extension was erected on the rear of the existing front building with long leaf yellow pine floor and roof beams; the first floor beams were supported on wood girders on concrete piers; roof beams are supported on steel columns and steel I beam wall girders; that the exterior walls are covered on the outside with novelty siding and on the inside with 7/8" tongue and grooved sheathing and #26 gauge V joint metal; that there is a covered driveway between the frame building in question and the brick factory building adjoining; that openings into the factory building from the driveway are protected with tin clad Underwriters fire doors and the windows in the factory building above the roof of the driveway have steel sash glazed with wire glass; that all of the buildings on the premises are equipped with a sprinkler system; that the live load capacity of the first floor of the old tenement at front of building doesn't exceed 50 lbs. and 75 lbs. per sq. ft. at the rear; that the cellar is used for storage of feathers and burlap bags; that the first floor is used for light manufacturing and storage in the rear; that the storage consist of storing feathers and burlap bags, with not more than four persons occupying the building; that the opening between

the frame building and the covered driveway is equipped with a metal covered sliding door; that it is proposed to install a wind driven 14 in. diameter ventilator for toilet; that exit from the cellar consists of an outside stairway to the street and interior brick stair to first floor with drop wood doors; that the exit from the first floor consists of the original tenement house door to street and horizontal exit to covered driveway; that the plant is now being operated 100% for defense work; that in view of these conditions, it is requested that the Board grant a modification of the requirements of the Building Code so as to permit the temporary use of the building for the duration of the war; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 951-42, Construction Obs. 1, 2 and 3 and Fire Prevention Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and *granted* only so long as the building is maintained for the use as proposed; that the floor framing for the first floor throughout shall be sufficient to support a live load of 75 lbs. per superficial foot; that the sprinkler system shall be maintained in compliance with the requirements therefor; that windows on the lot line shall be made fireproof and self-closing; that the sliding door between the rear extension and the adjoining shed shall be three-hour self-closing fireproof door; that the storage of combustible fibre (feathers) shall be maintained to the satisfaction of the fire commissioner; that such additional portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

443-42-S.

APPLICANT—Kipe Offset Process, Incorporated, owner.
SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—139-149 Hudson street, northwest corner of Hubert street and Beach street (3rd floor); (Block No. 214, Lot No. 18), Borough of Manhattan.

APPEARANCES—

For Applicant: Horace S. Kipe.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (443-42-S)

WHEREAS, Kipe Offset Process Company, Inc., owner, filed on May 29, 1942, an application for a variation from the requirements of the labor law as cited in a decision of the fire commissioner; premises 139-145 Hudson street, northwest corner of Hubert street (Block No. 214, Lot No. 18), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner dated May 1, 1942, reads:

"In reply to your request to lock the exit doors from the factory on the 3rd story, Section 272 Subdiv. 3 of the State Labor Law requires that no door leading into or out of any factory shall be locked, bolted or fastened during working hours.

In view of this fact your request must be denied."

and

WHEREAS, the applicant states that the building is 14 stories in height; 142 ft. 9 in. by 76 ft. in area; of Class 1 construction; erected in 1932; located in an unrestricted use district; and used and occupied as follows: cellar, storage of steel, 15 persons; first floor, storage of steel, 15 persons; second floor, drafting supplies, 6 persons; third floor, lithographing, 40 persons; fourth floor, lithographing and ma-

MINUTES

chine shop, 26 persons; fifth floor, machine shop, 8 persons; sixth floor, printing, 17 persons; seventh floor, watch spring manufacturing, 90 persons; eighth floor, linoleum and machine shop, 20 persons; ninth floor, machine shop, 24 persons; tenth floor, die making, 50 persons; 11th floor, printing and machine shop, 18 persons; 12th floor, blueprint manufacturing, 50 persons; 13th floor, manufacturing radio parts, 34 persons; 14th floor, printing, 22 persons. No change in use or occupancy is proposed except that the 4th floor will be used for lithographing only. The building is equipped with a sprinkler system; 2 interior stairs; one fire tower, fireproof construction; and

WHEREAS, the applicant contends that due to the highly confidential nature of the work being done for the Navy Department it is required that the doors be locked at all times.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the fire commissioner, dated May 1, 1942, and that the application be and it hereby is granted on condition that the proposed panic bolts shall be installed only on the doors as lead from the factory space on the third floor to the main hallway which in turn leads to the interior enclosed stair and the fire tower; that such panic bolts shall be of an approved type; that no panic bolts shall be installed on the doors leading directly to the interior stair or fire tower; that on at least two of such doors there shall be installed gongs for giving notice in the event of entry being required because of an emergency; that on the fourth floor a panic bolt may be installed on the door from the space leading to the stair hall toward the southerly portion of the building and occupied by the same tenant, provided the number of occupants therein do not exceed 10; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified under Cal. No. 664-29-S; that this variation shall be continued only during the term of the present emergency.

454-42-A.

APPLICANT—Kurman Electric Company, Incorporated, lessee, for Highfield Trading Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—241 Lafayette street, east side, 145 ft. 4½ in. north of Spring street (Block No. 495, Lot No. N4), Borough of Manhattan.

APPEARANCES—

For Applicant: Leonard Glicksman.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (454-42-A)

WHEREAS, Kurman Electric Company, Inc., lessee, for Highfield Trading Corporation, owner, filed on June 4, 1942, an appeal from an order and a decision of the fire commissioner; premises 241 Lafayette street east side, 145 ft. 4½ in. north of Spring street (Block No. 495, Lot No. N4), Borough of Manhattan; and

WHEREAS, Order No. 30144-LC, issued by the fire commissioner March 17, 1942, and referred to in a decision of the fire commissioner dated May 20, 1942, reads:

"5. Provide a room constructed of fire resisting material with waterproof floors in which to carry on dipping operation in connection with which a flammable or combustible surface coating is used. Rule 4.1.1.

Note: Plan must be filed with and approved by the Department of Housing and Buildings. Rule 1.2.

Note: Sprinkler protection and electrical equipment must conform to the requirements of the Rules 6.3 and 4."

and

WHEREAS, the applicant states that the building is six stories (74 ft.) in height; 25 ft. by 99 ft. 6 in. in area at first floor and 25 ft. by 83 ft. in area at typical floor; of Class 3 construction; erected in approximately 1905; located in a business use district; and used and occupied as follows: cedar, storage of porcelain material and heating oven; first floor, stock room and manufacturing of coils for relays, 23 persons; second floor, manufacture of porcelain ware; third floor, relay assembly department, 29 persons; fourth floor, press department, machine shop, 29 persons; fifth floor, offices and engineering department, 14 persons; sixth floor, leather manufacturing company; and

WHEREAS, the applicant contends that in order to comply with the order it will be necessary to construct a special fireproof room with the necessary sprinkler protection and electrical equipment to conform with the rules; that Rule 1.1 permits the fire commissioner to modify or waive the rules where the quantity of spraying material used does not exceed 2 quarts per day; that the amount of varnish used does not exceed two quarts per day; that the process consists of the manufacture of electrical relays having a small wire wound coil which is varnish impregnated, which makes the same waterproof; that this coil is 1 in. in diameter and one in. long; that the total dipping per day consists of about 200 coils; that the amount of varnish used is less than two quarts and the major portion of it is salvaged to use on other days; that the dipping operation is performed in a 4 by 5 ft. section of the floor area so positioned that a room cannot be built around same in compliance with the Rules; and

WHEREAS, an examination of the Fire Department folder indicates that application filed March 7, 1942 was for the storage and use of 20 gals. of paint varnishes and lacquers and Inspector's report indicates storage of 35 gals. of these materials.

Resolved, that the order of the fire commissioner, No. 30144-LC, be and it hereby is modified and that the appeal be and it hereby is granted on condition that all paint that is stored shall be stored in compliance with the rules and to the satisfaction of the fire commissioner; that not more than two quarts of spraying or dipping materials shall be used on any one day; that the dipping tank shall contain not more than two gallons of material; that such dipping tank shall be fitted with a steel cover with fusible link; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that in all other respects the occupancy shall comply with all laws, rules and regulations applicable thereto.

455-42-A.

APPLICANT—Lama and Proskauer, for Marguerite Behman, owner (Samuel Mossberg, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—6-7-8 Court square, east side, 109 ft. 10 in. north of Livingston street (Block No. 153, Lot Nos. 6-8), Borough of Brooklyn.

APPEARANCES—

For Applicant—Samuel Mosberg and Alfred A. Lama.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (455-42-A)

WHEREAS, Lama and Proskauer, for Marguerite Behman, owner, filed on June 5, 1942, an appeal from a decision of the borough superintendent; premises 6-7-8 Court square, east side, 109 ft. 10 in. north of Livingston street (Block No. 153, Lot Nos. 6 and 8), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 4, 1942, on Alt. Applic. No. 1298, reads:

MINUTES

"3. Provide additional approved stairway as per Section 6.1.2.2.3.

5. 3rd and 4th floor construction to be good for 75 lb. per sq. ft."

and

WHEREAS, the applicant states that the building is four stories (47 ft.) in height; 66 ft. 6 in. by approximately 65 ft. in area; of Class 3 construction; erected prior to 1914; located in a business use district; and used as a furniture show room throughout; and

WHEREAS, the applicant contends it is proposed to convert the entire building from store and dwellings to furniture show room by removing all partitions and stairways, reinforcing floors, cutting two 7 ft. wide by 8 ft. high openings on all floors and connecting this building with the adjoining buildings used for furniture show rooms pursuant to variance granted by the Board under Cal. No. 902-39-A; that it is requested that the Board permit 60 lbs. live load in lieu of 75 lbs. as required; that the building is equipped with fire escapes at the rear; that the adjoining buildings to which it is proposed to connect have a fireproof enclosed stairway leading direct to the street and to roof as well as fire escapes at the rear.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1298-42, Obj. No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the construction and occupancy shall be substantially as proposed and that in addition there shall be installed a new stairway which may be unenclosed leading from the second floor to the first toward the Red Hook lane side; that the proposed openings in the wall to the building at No. 7 Court square need not have closure doors, provided no additional space is added to these buildings; that the existing interior stairway and the exterior fire escapes shall be maintained as shown; that the framing of each floor of the building at No. 6 Court square shall be reinforced so as to be capable of sustaining not less than 75 lbs. live load per superficial foot; that this building, when made to comply with the requirements of this resolution, may be occupied in connection with the adjoining buildings at Nos. 7 and 8 Court square, subject to the resolution adopted under Cal. No. 902-39-A; that all other requirements of the borough superintendent in connection with Alt. Applic. No. 1298-42 shall be complied with.

458-42-A.

APPLICANT—Andres Mora, for Victor Moore Terminal, Incorporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot No. 23), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: C. C. Merit and Wm. T. Smith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (458-42-A)

WHEREAS, Victor Moore Terminal, Incorporated, owner, filed on June 8, 1942, an appeal from a decision of the borough superintendent; premises 74-11 to 74-21 Broadway, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot No. 23), Jackson Heights, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated June 22, 1942, on Misc. Applic. No. 1793-42, reads:

"1. Proposed signs as shown are deemed to be advertising signs in a business district and therefore are in violation of Art. 2, Section 49, of the Building Zone Resolution."

and

WHEREAS, Building Notice 1793-42 was filed with the borough superintendent to permit the installation of poster advertising on walls and rails throughout the building (locations to be selected); and

WHEREAS, the applicant states that the building is two stories (24 ft. 6 in.) in height; 112.7 ft. by 138.32 ft. and 70.41 ft. in area; of Class 3 construction; located in a business use district; erected in 1941; and occupied: cellar, stores, 50 persons; first floor, bus station and stores, 75 persons; second floor, offices, 115 persons; pursuant to variation of the zoning resolution, granted by the Board under Cal. No. 919-40-BZ; and

WHEREAS, the applicant contends that Article 2, Section 40 of the zoning resolution, restricting advertising signs within a business area, should not be interpreted to preclude signs within the confines of private property, particularly where they cannot affect the appearance or character of a neighborhood; that while the building is in a business area and the use of the arcades or passages by the public for access to the subways and buses may give it a semipublic character, it is still private property; that the proposed signs are all to be within the building, as indicated on the plans, and cannot affect the character or appearance of the neighborhood; and

WHEREAS, in the opinion of the Board, the restrictions in the zoning resolution as to advertising signs do not include advertising signs located within a building where not exposed to direct public view from the street; and

WHEREAS, the Board contemplates the promulgation of rules for carrying into effect the provisions of the zoning resolution as to advertising signs and recommends that pending the adoption of such rules, the action taken in this appeal should not be considered as a precedent.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 1793-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the signs are maintained within the building as shown and in accordance with the recommendation of the Board as above stated and also meet the approval of all agencies having jurisdiction.

478-42-S.

APPLICANT—Irving M. Fenichel, for General Linen Supply and Laundry Co., Inc., owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—96-102 Stockton street and 553-559 Marcy avenue, southeast corner (Block No. 1747, Lot Nos. 1-7 inclusive and 60-69 inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Fenichel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (478-42-S)

WHEREAS, Irving M. Fenichel, for General Linen Supply and Laundry Co., Inc., owner, filed on June 23, 1942 an application for a variation from the requirements of the labor law; premises 96-102 Stockton street and 553-559 Marcy avenue, southeast corner (Block No. 1747, Lot Nos. 1-7 inclusive and 60-69 inclusive), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 19, 1942, on amendment to Alt. Permit 825-32, reads:

MINUTES

"1. Unless the mezzanine is removed the building is over 4 stories in height and same should be constructed fireproof as per Sec. 270.1 of the Labor Law."

and

WHEREAS, the applicant states that the building is 3 and 4 stores (56 ft. 6 in.) in height; 185 ft. by 100 ft. in area; of Class 3 construction; erected prior to 1921; located in a business use district; and occupied: cellar, ordinary; 1st floor, laundry, 150 persons; mezzanine story, assorting, storage and offices, 45 persons; 2nd floor, ironing, 150 persons; 3rd floor, ironing, 150 persons; 4th floor, offices and small lunch room, 90 persons; and

WHEREAS, the applicant contends that in 1932 the Building Department issued Permit No. 825-32 permitting the increase in area of the building from 75 ft. by 100 ft. to 185 ft. by 100 ft. and permitting the addition of a fourth story which was to be 100 ft. by 185 ft. over the entire existing and proposed building; that in 1933 an amendment was filed for the erection of a new mezzanine floor on the first floor to be used temporarily for assorting, and to be removed when the fourth floor extension was completed; that in 1935 construction of the fourth story portion over the new westerly extension was completed and later in 1935 an amendment was filed to extend the present mezzanine, the entire mezzanine to be taken down upon completion of the fourth story; that the area of this mezzanine which is used for offices and assorting is approximately 28% of the total area of the first story; that the entire building is equipped with a two source automatic sprinkler system with heads above and below the mezzanine. The fourth floor was to have an area of 18,500 sq. ft. and an occupancy of 125 persons to be used as a cafeteria and for ironing in connection with the laundry. The fourth floor as actually constructed has an area of 11,000 sq. ft. and is used for offices and small lunch room with a total occupancy of 90 persons. The area of the mezzanine in question is less than the portion of the fourth floor which was omitted. The actual height of the building was not increased by the construction of the mezzanine. The construction of the mezzanine is of a permanent character being supported on substantial steel columns, beams and girders and equipped with approved exit facilities; that the owners have no intention of completing the fourth floor and would find it impossible under present conditions to do so and, therefore, the mezzanine is indispensable to the carrying on of the owners' laundry business. For these reasons it is requested that the Board grant a variance so as to permit the continuance of the existing mezzanine; and

WHEREAS, in the opinion of the Board the mezzanine should be considered a story.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Alt. Applic. No. 825-32, Obj. No. 1, and that the application be and it hereby is *granted on condition* that the existing mezzanine balcony shall not be increased in area; that the existing exits therefrom shall be maintained; that the sprinkler system over and under such balcony shall be maintained in accordance with requirements and *granted* only so long as the building and occupancy are substantially as set forth and comply in all other respects with all laws, rules and regulations applicable thereto and that the building is not increased beyond the present height.

480-42-A.

APPLICANT—Paramount Pictures Incorporated, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—544 West 43rd street, south side, 175 ft. east of 11th avenue (Block No. 1071, Lot Nos. 54-57, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Edwin F. Jones, H. B. Lazares, E. H. Ericsson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (480-42-A)

WHEREAS, Paramount Pictures, Incorporated, owner, filed on June 16, 1942, an appeal from a decision of the borough superintendent affecting premises 544 West 43rd street, south side, 175 ft. east of 11th avenue (Block No. 1071, Lot Nos. 54 to 57, inclusive), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated June 10, 1942, on Alt. Applic. No. 804-42, reads:

"1. Construction of cooling tower should be of incombustible material, except the drip bars which may be of wood as per Sec. 10.12.10 Building Code.

2. The construction should be incombustible as tower is located within fire limits as per Section 4.1.2 Building Code."

and

WHEREAS, the applicant states the premises consist of a plot 100 ft. by 100 ft. 6 in. in area; located in an unrestricted use district, upon which there exists a building, five stories (67 ft.) in height, 50 ft. by 100 ft. 6 in. in area at first floor, 50 ft. by 80 ft. in area at typical floor; of Class 1 construction; erected 1927 and used and occupied as follows: cellar, machinery, heating, workshops, storage, 16 persons; first floor, work shops, offices, film vaults, ladies' rooms, 47 persons; second floor, offices, work rooms, men's toilet, 29 persons; third floor, film vaults, offices, projection room, screen room, ladies' toilet, 24 persons; fourth floor, studio, offices, projection room, men's toilet, 21 persons; fifth floor, offices, film storage, machinery and work rooms, 12 persons. It is proposed to erect on the westerly portion of the plot, a frame cooling tower approximately 12 ft. by 12 ft. in area, 30 ft. in height, as shown on plans filed June 10, 1942, with Alt. Applic. No. 804-42; and

WHEREAS, the applicant contends that the work involved is an alteration to the existing building consisting of the erection of a wood constructed induced draft cooling tower approximately 12 ft. by 12 ft. in area, 28 ft. in height, mounting two 15,000 cubic ft. per minute fans at the top which will pull air through the tower against a sprayed volume of water introduced through spray nozzles at the top; that reservoir will be located at the bottom for return of cool water through refrigeration condenser in the laboratory building adjoining to the east; that construction of this tower has been required by the Department of Water Supply, Gas and Electricity; that due to the present war emergency, materials for the erection of an incombustible cooling tower are not obtainable and that the wall of the existing laboratory building adjoining the cooling tower will be unpierced.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 804-42, Objections No. 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed cooling tower shall be constructed substantially as proposed and maintained only for the purpose as proposed; that the lot on which it is erected, namely 50 by 100 ft. shall remain otherwise vacant; that the location of the cooling tower shall be not nearer to the adjoining lot line than as proposed.

690-21-S.

APPLICANT—Harry Borsky for Atlantis Steel-Partition Co., Inc., lessee: 116 Troutman street, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment of resolution, re application from an order of the fire commissioner.

PREMISES AFFECTED—114-130 Troutman street (Block No. 3184, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Schwartz, E. T. Lindbloom and W. S. Schneider.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (690-21-S)

WHEREAS, Oscar Goldschlag, for Henry W. Schloss, owner, filed, June 20, 1921, a petition, with the Board of Standards and Appeals, for variation of the requirements of the labor law, as cited in the order of the fire commissioner, affecting premises 114-130 Troutman street (Block No. 3184, Lot No. 19), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner No. 23668-LD, dated June 8, 1921, reads:

"Extend the interior stairway at the northerly and southerly ends of the building to the roof as per section 271 of the labor law.";

and

WHEREAS, the premises consist of a plot of ground upon which there are a number of one story buildings and two attached buildings of non-fireproof construction, the main building being 100 ft. x 30 ft. in area, 3 stories in height, the extension building being 125 ft. x 40 ft. in area, 3 stories in height, the buildings being equipped with a sprinkler system and a fire alarm signal system, occupied, basement, storage, 2 persons; 1st story, winding room and office, 36 persons; 2nd story, trimming room, 16 persons; 3rd story, trimming room, 34 persons; the means of egress consisting of two interior wooden stairways one in each building near the east side, extending from the first story to the third story, enclosed in wood partitions with wooden doors at the openings; a fire escape at the rear of the extension building extending from roof to the ground with exit from the driveway to the street with fire windows at the openings; a fire escape at the front of the main building extending from the roof to the street with fire windows at the openings; an outside stairway at the rear of the extension building extending from the 1st story to the yard; and

WHEREAS, petitioner states that the order requiring the existing stairways to be extended to the roof was withheld by the board of review on October 17, 1918; and

WHEREAS, the Board deemed that the action of the board of review should be ratified; and

WHEREAS, this application was granted upon certain conditions on September 13, 1921; and

WHEREAS, the Atlantis Steel Partition Co. Inc., lessee, requested a reopening and amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on September 13, 1921, by adding thereto:

"that the sprinkler system maintained within the building may be removed provided the building is made to comply with all the requirements of the Building Code and all other laws, rules and regulations applicable to the use and occupancy insofar as the resolution applies to the buildings known as 114 to 124 Troutman street and provided also that there is no factory occupancy above the first story."

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

1015-39-SM.

APPLICANT—Kohler Company, Incorporated, owner.

SUBJECT—Wellworth K-3700-PB Close-Coupled Reverse Trap Closet, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief
Murphy 4
Negative: 0

THE RESOLUTION (1015-39-SM)

WHEREAS, the Kohler Company, Inc., owner, filed on July 31, 1939, an application with the Board of Standards and Appeals for the approval of the material known as the Wellworth K-3700-PB Close-Coupled Reverse Trap Closet; and

WHEREAS, the applicant failed to answer a communication from the Board, and at the hearing there was no appearance made in behalf of the applicant.

Resolved, that the application for approval be and it hereby is dismissed for lack of prosecution.

317-36-SA.

APPLICANT—Dempsey Industrial Furnace Corporation, owner.

SUBJECT—Dempsey Industrial Oil Burner, approval of.

APPEARANCES—

For Applicant: E. B. Cooke.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief
Murphy 4
Negative: 0

THE RESOLUTION (317-36-SA)

WHEREAS, the H. B. Dempsey Furnace Corp., owner, filed on October 28, 1936, an application with the Board of Standards and Appeals for approval of the appliance known as the Dempsey Industrial Oil Burner; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 16, 1942.

Cal. No. 317-36-SA.

Subject: Dempsey Industrial Oil Burner, approval of.

The H. B. Dempsey Furnace Co. (now the Dempsey Industrial Furnace Corp. of Springfield, Mass.) filed October 28, 1936 an application with the Board of Standards and Appeals for approval of the Dempsey Industrial Oil Burner under the provisions of the Oil Burner Rules of the Board of Standards and Appeals.

This burner is a mixing nozzle and consists of a cast iron body with two connections, one for oil and one for air. The oil enters the burner through a needle valve which controls its rate of flow. From the valve it enters a tube connecting with the nozzle. This tube has a helix to give a rotating motion to the oil. The air enters the body of the burner through a blast gate which controls the rate of flow, passes around the outside of the oil tube and through a helix which rotates the air in the opposite direction from the oil giving a fine atomization. The oil and air are delivered to the furnace through a venturi nozzle. The air helix can be moved back and forth to control the length of flame. The burner when installed is used with an approved interlocking valve such as a Fulton Sylphon or Tagliabue valve to control air and oil. The burner fires through a tapered hole in a refractory block which becomes heated and vaporizes the oil.

The burner is designed for manual operation only and is used in metal melting, heat treating, forging and other industrial operations. The air is delivered at a pressure from 8 to 32 ounces per sq. in. and the oil from 15 to 75 lbs. per sq. in. A Worthington or other geared type positive pressure pump is used for the oil and the air with either a centrifugal or positive pressure blower. The oil used is No. 3 to No. 5 U. S. Department of Commerce standards cold or No.

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6 preheated. This burner was inspected and tested by the Committee on Tests of the Board at the plant of the A. P. Smith Manufacturing Co. at East Orange, N. J. where it was being used for metal smelting. The burner operated without flare-backs and was satisfactory for industrial purposes. The CO₂ content was maintained at 12%.

On the basis of this inspection and test it is recommended that the Dempsey Industrial Oil Burner be approved for use with metal melting furnaces and similar apparatus with fuel oil not heavier than No. 5 cold, U. S. Department of Commerce Standards and No. 6 preheated when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals other than the requirements of Rule 12.1 as to chimneys but that proper hoods or other equivalent means of carrying off fumes shall be provided and that the burner shall have a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City in industrial installations under Cal. No. 317-36-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Dempsey Industrial Oil Burner, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

79-40-SM.

APPLICANT—Cement Floor Co., Inc., for Green Bag Cement Company of West Virginia, owner.

SUBJECT—Green Bag Non-Staining Waterproofed Masonry Cement, approval of.

APPEARANCES—

For Applicant: J. A. Lewis.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy

Chief Murphy 4

Negative: 0

THE RESOLUTION (79-40-SM)

WHEREAS, the Cement Floor Co., Inc., for the Green Bag Cement Co. of West Virginia, owner, filed on January 23, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Green Bag Non-Staining Waterproofed Masonry Cement; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

July 3, 1942.

Re: Cal. No. 79-40-SM

Subject: Green Bag Non-Staining Waterproofed Masonry Cement, approval of.

On January 23, 1940, the Cement Floor Company, Inc., agent for Green Bag Cement Company, Kenova, West Virginia, filed an application pursuant to section 7.1.1.7.3, par. 2, (C26-312.0,c,2) of the Administrative Building Code for the approval of Green Bag Non-Staining Waterproofed Masonry Cement for use in New York City in setting stone and brick wherever the use of Portland cement is not required by the Administrative Building Code.

The owner's plant is located on the southern bank of the Ohio River at Kenova, West Virginia, midway between Huntington, West Virginia and Ashland, Kentucky. The argillaceous limestone used is shipped via rail from Lawton, Kentucky, in hopper bottom cars. The clay used is shipped via dump truck from Olive Hill, Kentucky.

Green Bag Non-Staining Waterproofed Masonry Cement is a blend of finely ground limestone, Green Bag Portland Cement, Green Bag Hydrated Lime and flaked stearic acid. The stearic acid is purchased from Proctor and Gamble. When the stearic acid is combined with hydrated lime in the mill, a calcium stearate waterproofing compound is formed. Stearic acid and stone are fed by a Hardings type belt conveyor into a charging hopper. The hydrated lime and Portland Cement are added manually by a table type feeder. All of these four materials are intimately mixed in the hopper and then fed to a bucket elevator through a chute and thence lifted approximately 75 ft. to a belt conveyor overhead which carries this to a chute leading to feed bins at the entrance of a 5 ft. by 22 ft. long compeb mill of the Allis-Chalmers type where the Allis-Chalmers mixture is ground to a fineness of approximately 91 to 93% passing 200 mesh. From the compeb mill, the material is carried by a screw conveyor to an elevator and thence to storage bin of approximately 800 barrel capacity. Under the storage bin there is located a charging hopper leading to a Bates Valve Bag Machine.

The manufacturing processes are controlled by two separate laboratories for routine tests and for research work. These laboratories function 24 hours each day and are manned by 7 men in addition to the sample carriers. An analysis sample is taken of the Portland cement used approximately every two hours and tested for moisture, fineness and calcium content and a complete analysis of all ingredients is made once each day. Slurry samples for laboratory use are obtained from a barrel with motor-driven paddles for agitation. This barrel is fed in such a manner that the same proportionate amount enters the barrel as is being pumped into the correction tanks so that the barrel sample is identical to the mix in the correction tank. Samples of finished cement are taken at regular intervals from the mill run and checked for gypsum content. Fineness and setting time tests are made each hour during the operation of the mill and strength tests are made each day on the average run. The weights of the proportions of materials used in making Green Bag Non-Staining Waterproofed Masonry Cement are taken each hour for some of the ingredients and every 15 minutes for others of the ingredients.

The applicant has filed in support of this application a copy of a report of the Department of Civil Engineering at Columbia University dated May 19, 1932 on a test made on a sample selected by representative of the Bureau of Buildings with the following results:

	Normal Consistency	
Test number	Neat	1:3 Mortar
57537	33.0	14.8

	Time of Set	
Test Number	Initial	Final
57538	2 hours 46 minutes	10 hours

Note—A slight stiffening up of the material was noted at 45 minutes but was not considered sufficient to indicate an initial set.

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Test Number	Fineness Test		Passing 200 mesh
	Retained 100 mesh	Retained 200 mesh	
57539	3.53	7.08	92.92%

Soundness Test Test Number—57571

Two neat pats were made up and stored in a damp closet for 24 hours after which one was placed in water and the other in air under room conditions.

The specimens did not crack or show visible evidence of distortion.

TENSION TESTS (Std. Briquettes)

Age—24 hours

Neat	
Test Number	Tensile Strength
57540	37 lbs./sq. in.
57541	37
57542	35
57543	31
Average	35

Age—7 Days

Neat		1:3 Mortar	
Test Number	Tensile Strength	Test Number	Tensile Strength
57544	275 lbs./sq. in.	57547	162 lbs./sq. in.
57545	242	57548	162
57546	257	57549	146
		57560	151
		57561	150
Average	258	Average	154

Age—28 Days

Neat		1:3 Mortar	
Test Number	Tensile Strength	Test Number	Tensile Strength
57562	370 lbs./sq. in.	57566	210 lbs./sq. in.
57563	430	57567	240
57564	410	57568	200
57565	375	57569	245
		57570	260
Average	396	Average	231

The applicant has also submitted in support of this application a report of chemical and physical analysis accompanied by a certificate from the manufacturer's chief chemist that the results of these tests are an average of the product under the owner's present formula and operating procedure, and that this material passes A.S.T.M. Specifications, Federal Specifications SS-C-181 and Federal Specifications SS-C-181B, Type 1. The results of these tests are as follows:

Chemical Analysis

SiO ₂	Al ₂ O ₃	Fe ₂ O ₃	CaO	MgO
15.78	3.66	1.00	56.28	.80

Ignition loss 22.46

MATERIAL TESTEDS NON-STAINING MASONRY CEMENT

Compressive Strength

Specification	7 Day	28 Day
SS-C-181	580	690
SS-C-181A	650	750
SS-C-181B	590	750
A.S.T.M.	680	1060

Fineness	Time of Setting	Soundness	Normal Consistency
Passing 200 Mesh	Initial 4 hrs. 15 min.	O.K.	33½ cc.
91% Min.	Final 23 hrs. 15 min.		Grams

A sample of Green Bag Non-Staining Waterproofed Masonry Cement was selected at the mill by representatives of the Committee on Tests and forwarded to the Structural Materials Laboratory of Cornell University for chemical analysis and physical test. Such tests were made pursuant to Federal Specification SS-C-181B, Type 1, A.S.T.M. Designation C77-39 and A.S.T.M. Designation C110-38-T with the following results:

Results of the Tests

		Required	
		Federal SS-C-181B Type 1	A.S.T.M. C91-40
Normal Consistency (per cent)	34.0		
Soundness			
5 hr.—steam	O.K.	O.K.	O.K.
7-28 day water	O.K.	O.K.	O.K.
7-28 day air	O.K.	O.K.	O.K.
Time of Setting (Gillmore)			
Initial	3 hr. 35 min.	not less than 60 min.	not less than 60 min.
Final	4 hr. 20 min.	not more than 48 hrs.	not more than 24 hrs.
Fineness, per cent			
On No. 200 (wet test)	5.6	12% max.	
Tensile Briquets (p.s.i.)			
(1 to 3 standard sand mortar)			
At 3 days	121		
At 7 days	154		
At 28 days	194		
Note—12.2 per cent water used, each average of 4 tests.			
2 inch Compression Cubes (p.s.i.)			
(1 to 3 standard sand mortar)			
At 7 days	590.0	250	350
At 28 days	887.0	500	600
Water Retention	—	65% max.	65% max.
Water Repellency			
Ratio of 1 hr. absorption to 24 hr. absorption	0.428	0.90% max.	
Plasticimeter Test (Adapted)			
Emley Plasticity Figure	422		

Note—This method as applied to Masonry Cement has been changed on account of the settling which would take place during the 24 hour seasoning required in the hydrated lime procedure.

This seasoning was eliminated in this test of masonry cement. All other items were carried out.

Chemical analysis of Green Bag Non-Staining Waterproofed Masonry Cement were made at the Department of Chemistry of Cornell University with the following results:

The analysis on the above material gave the following results calculated on the as received basis.

A.S.T.M.
C91-40

As Tested

Silicon dioxide—SiO ₂	15.80
Aluminum oxide—Al ₂ O ₃	3.35
Ferric oxide—Fe ₂ O ₃	0.85
Calcium oxide—CaO	57.34
Magnesium oxide—MgO	0.40
Sulfur trioxide—SO ₃	0.50
Loss on ignition	21.44
Insoluble residue	8.14
0.03% Max. Staining Test, Sodium Oxide	0.025% 0.03% Max.

A sample of Green Bag Portland Cement which is used in the manufacture of Green Bag Non-Staining Waterproofed Masonry Cement was taken from the mill by representatives of the Committee on Tests and forwarded to Cornell University for analysis. Such analyses were made with the following results:

Loss on Ignition	0.77%
Insoluble Residue	0.18%
Sulfuric anhydride	1.64%
Magnesia	0.51%
Carbon dioxide	1.23%
Magnesium oxide	0.34%
Calcium oxide	78.1%

It should be noted that the chemical analysis of Green Bag Portland Cement and Green Bag Non-Staining Waterproofed Masonry Cement indicates compliance with A.S.T.M. Specification C9-30 and Federal Specifications for soluble alkali for these materials. Analysis

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of Green Bag Hydrated Lime indicates that A.S.T.M. Specification C5-26 is not complied with for combined calcium and magnesium oxides.

Green Bag Non-Staining Waterproofed Masonry Cement is packed in 80 pound double walled paper bags.

Based on the foregoing test data, it is recommended by the Committee on Tests that Green Bag Non-Staining Water-proofed Masonry Cement be approved for use in New York City as a cement of "another type" pursuant to Section C26-312.0, c, 2 (7.1.1.7.3) of the Administrative Building Code and for use in "other mortars" in place of "cement mortars"; "cement lime mortars", pursuant to Section C26-314.0 of the Administrative Building Code (as amended by Local Law No. 34, effective July 2, 1942) and that its use be limited to the setting of stone and brick, for parging and for back-up and *wherever the use of Cement Mortar is not specifically required* by the Administrative Building Code, on condition that when used for laying masonry units, such units shall be thoroughly wet before laying and that no added lime be used with the mortar.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Green Bag Non-Staining Waterproofed Masonry Cement *on condition* that the material be manufactured and labelled, stamped or tagged in accordance with above report.

728-41-SM.

APPLICANT—Wilbur and Williams Company, owner.
SUBJECT—Bondlite (for Interiors) and Exterior Bondlite (Penetrating and Bonding Oil Paints), approval of.
APPEARANCES—

For Applicant: John P. Fogarty.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief

Murphy 4

Negative: 0

THE RESOLUTION (728-41-SM)

WHEREAS, the Wilbur and Williams Company, owner, filed on August 12, 1941, an application with the Board of Standards and Appeals for approval of the material known as Bondlite (for Interiors) and Exterior Bondlite (Penetrating and Bonding Oil Paints); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 25, 1942.

Re: Cal. No. 728-41-SM.

Subject: Bondlite (for interiors) and Exterior Bondlite (penetrating and bonding oil paints), approval of.

The Wilbur & Williams Company of Boston, Mass., filed an application on August 12, 1941 with the Board of Standards and Appeals for the approval of their material known as Bondlite (for interiors) and Ex-

terior Bondlite (penetrating and bonding oil paints) for use as a painting material under the provisions of C26-178.0b of the Administrative Code.

Bondlite is manufactured in four colors: cream, buff, ivory and pale green and consists of pigment and vehicle, the analysis of which is as follows:

Pigment 70%

Zinc Sulphide Pigment	56.0%
Titanium Dioxide	5%
Calcium Carbonate	27.0%
Magnesium Silicate	16.5%
	100.0%

Vehicle 30%

Special Oils and Resins	34%
Volatile Thinner	66%
	100%

Weight 15.5# per gallon.

The raw materials are proportioned from a formula and are then placed in a "bulldog" mixer and mixed carefully to an exact time control. In the case of white goods the product is ground through a colloid mill to assure fineness of grind. This is ground for a determined time interval. Material is then fed through a pipe by gravity direct to the filling room where containers are filled and checked both by volume and by height. In the case of colored goods the materials are ground in a Single-Roll Slide-Bearing Mill. This Mill maintains 1" grinding contact surface due to the action of a concave knife and thus secures fineness of grind. This mill is water cooled to assure maintenance of proper temperature. This mill is operated for a determined length of time and is emptied direct by gravity to the filling room. The product is packed in drums, ½ drums, 5 gallon kits, and gallons. Each size is closed and sealed mechanically and the one-gallon cans are labelled in an automatic labelling machine. Larger sizes are labelled by hand. All containers are stamped with a code number indicating the batch number. A sample is taken from each batch as manufactured, is coded with the batch number and this is tested by the laboratory before the batch is released to the shipping department. Each sample is tested for color, for viscosity and/or consistency and for weight. Laboratory approval is reported by a signed release to the Manufacturing Department permitting release of the batch direct to the stock room or shipping department.

The manufacturer claims that Bondlite is suitable for covering damp surfaces or new plaster, is usable over calcimine and white wash, that it is capable of hiding old water stains and of covering porous surfaces. It is also claimed that the material is a breathing paint, that it penetrates and absorbs soft finishes providing adequate bond without shrinking; that it penetrates into and bonds over stains and that it is self-sizing and highly opaque. To substantiate these claims tests performed at the Clapp Laboratories, Duxbury, Massachusetts, are offered as follows:

A section of unsized, unfinished plaster wall was thoroughly sprayed with water and while still wet was painted with one coat of Bondlite. The paint dried to a flat white finish, showing no evidence of checking or cracking due to moisture.

Panels of wood and wall board were first painted with calcimine. When thoroughly dry, one coat of Bondlite to which red oil dye was added, was applied. When this coating had dried, the surfaces were scraped to the subsurface and examined under a high magnification binocular. Red dye was found to have penetrated into the wood fibers and clear into the wall board fibers.

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Sections of the laboratory darkroom walls were badly stained with old water stains. These sections were covered with one coat of Bondlite. After a drying period of three hours the stains were completely covered.

Samplings of weather tests on wood painted with Exterior Bondlite were examined by the Committee and compared against the results of good grade house paint and high grade house paint and it was found that the Bondlite weathered evenly and was in excellent condition. Examination of stucco samplings which were wetted prior to the application of paint showed that the paint permitted moisture to be expelled from the masonry and the paint had worked itself into the interstices of the concrete bonding and covering the surface with a homogeneous film. Weathered samplings indicated that the paint remains white because of the chalking properties developed under the action of weather.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of Bondlite (for interiors) and Exterior Bondlite (penetrating and bonding oil paints), as manufactured of the specifications contained herein by Wilbur & Williams Company of Boston, Mass., for use as exterior (except over concrete blocks not meeting the absorption requirements of the Concrete Masonry Rules of the Board) and interior painting material under the provisions of C26-178.0b, Administrative Building Code when applied in accordance with the manufacturer's instructions furnished on the label of each container. It is further recommended that the material be compounded in accordance with the specifications herein contained and that each container of the material shall bear a permanently affixed label reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 728-41-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Bondlite (for interiors) and Exterior Bondlite (penetrating and bonding oil paints), *on condition* that the material be manufactured and labelled, stamped or tagged in accordance with above report.

980-41-SM.

APPLICANT—John Wood Manufacturing Company, Incorporated, owner.

SUBJECT—John Wood 275 Gallon Basement Obround Fuel Oil Tank, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF THE BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (980-41-SM)

WHEREAS, the John Wood Manufacturing Co., Inc., owner, filed on November 13, 1941, an application with the

Board of Standards and Appeals for approval of the material known as the John Wood 275 Gallon Basement Obround Fuel Oil Tank; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

June 24, 1942.

Re: Cal. No. 980-41-SM.

Subject: John Wood 275 Gallon Basement Obround Fuel Oil Tank, approval of.

The John Wood Manufacturing Company, Inc., of Richmond Hill, N. Y., filed on November 13, 1941 an application with the Board of Standards and Appeals for approval of the John Wood 275 Gallon Basement Obround Fuel Oil Tank under the provisions of the Oil Burner Rules of the Board of Standards and Appeals.

These tanks are made with long diameter either vertical or horizontal, of #10 U.S. gauge commercial grade hot rolled sheet steel; the body of the tank is made of one sheet 118-5/16 in. by 60 in. with the seam-welded; dished heads 44 in. by 26 in. are formed with cylindrical extension rims 2½ in. wide to provide a welding surface; flanges, head seams and pipe connections are hand electric arc welded; the tanks are provided with standard pressed steel pipe support lugs; total weight (without legs) is 368 pounds.

A sample vertical tank was subjected to a pressure test in a vertical position at the applicant's plant in the presence of Commissioner C. M. Blum and Engineer J. F. Fitzsimons, representing the Board and successfully met the requirements of Rule 10.3.1 of the Oil Burner Rules. Details of construction, workmanship and protection of steel comply with the Rules of the Board.

On the basis of the foregoing data, the Committee on Tests recommends that the John Wood 275 Gallon Basement Obround Fuel Oil Tank be approved for use in fuel oil installations in New York City, when constructed in accordance with the details of this report and drawings filed with the application, but nothing herein shall be deemed to waive any requirement of the Oil Burner Rules of the Board as amended July 1, 1941. It is further recommended that all welding conform to the Fusion Welding and Gas Cutting Rules of the Board and that the permanently affixed plate as required by Rule 5.3.2 of the Oil Burner Rules have in addition to the wording therein required the following "Approved by the Board of Standards and Appeals under Cal. No. 980-41-SM."

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

• LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the John Wood 275 Gallon Basement Obround Fuel Oil Tank, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

250-42-SM.

APPLICANT—Walter Whelan, for Adjusta-Post Company, owner.

SUBJECT—Adjusta-Post (Jack Column), approval of.

APPEARANCES—

For Applicant: Walter Whelan.

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ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (250-42-SM)

WHEREAS, Walter Whelan, for Adjusta-Post Company, owner, filed on March 26, 1942, an application with the Board of Standards and Appeals for approval of the material known as the Adjusta-Post (Jack Column); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

July 6, 1942.

Cal. No. 250-42-SM.

Subject: Adjusta-Post (Jack Column), approval of.

Roy Akins for Adjusta-Post Company of Akron, Ohio filed March 26, 1942 an application with the Board of Standards and Appeals for approval of the Adjusta-Post (Jack Column) under the provisions of Section C26-178.0b, (2.1.2.5)h of the Administrative Building Code.

The Adjusta-Post (Jack Column) is an adjustable post or support for permanently shoring up floors in buildings. The Adjusta-Post comprises a base member and a cap member. On the upper side of the base member and the under side of the cap member is a substantially hemispherical socket which in conjunction with the lifting member accommodates the post to angular variations between the floor and the ceiling. The lifting element consists of a heavy screw the end of which is provided with a head having a rounded knob or projection seating into the socket of either the base or cap. The knob is somewhat longer than the depth of the socket and is provided with side clearance so that the axis of the screw may vary from the perpendicular line of either the base or cap. The head has openings to receive a bar or lever to turn the screw. The cap and base are provided with projections which provide seats for the main casing. On the screw is provided a nut having an outer central rib to form a seat. The central portion of the post consists of a steel pipe $4\frac{1}{2}$ inches outside diameter of a standard length of 6 ft. The nominal thickness of the pipe is $\frac{1}{4}$ inch. The overall length of the Adjusta-Post is 6 ft. 8-13/16 inches. The screw threads are of the square type and are self locking. The pitch is 0.4 inches and the degree of pitch is 3.5° . The pitch circumference is 6 in. and there are $7\frac{1}{2}$ turns in the length of the 3 in. nut making 45 inches of thread engaged in each nut.

Tests were conducted on the Adjusta-Post at Columbia University on May 29, 1942. Present at the test were representatives of the Committee on Tests and the manufacturer. A 600,000# Southwark-Emery testing machine was used, Laboratory Test #70522. The 7' high pipe bent as a column at 111500 lbs. The maximum contraction was 0.44 inches. The head of the screw cap crushed because of removal of material for holes for adjusting lever. Bearing cap cracked at center opposite ball seat. The distortion of cap at 40,000 lbs. was .03 inches.

On the basis of this test it is recommended that the Adjusta-Post (Jack Column) be approved for use in New York City in Buildings of Class 4 construction not exceeding 3 stories in height provided that a wedge be provided between the screw and nut at the top of column to lock the nut in place, that the base be provided with two holes $\frac{3}{4}$ in. in diameter opposite each other, that pins be provided in these holes locked on the base and anchored in the concrete footing of the post,

that the cap shall also have lugs cast opposite each other with $\frac{5}{8}$ inch holes in each for fastening lag screws or bolts to the girders, that a metal sleeve be provided placed over the screw and secured to the post so as to prevent interference with the screw, that all work done shall be under the direct supervision of the applicant and that all work shall be done in accordance with the provisions of the Administrative Building Code, and provided further that each column shall bear a label reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 250-42-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Adjusta-Post (Jack Column), on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

346-42-SA.

APPLICANT—Theodore Heilig, for Empyre Fire Extinguisher Corporation, owner.

SUBJECT—"Empyre" and "Stop-Fire" Stirrup Type Water Spray Pump (Fire Extinguisher), approval of.

APPEARANCES—

For Applicant: Michael Rothkrantz.

ACTION OF BOARD—Appliance disapproved.

THE VOTE TO APPROVE—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (346-42-SA)

WHEREAS, Theodore Heilig, for Empyre Fire Extinguisher Corporation, owner, filed on April 27, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the "Empyre" and "Stop-Fire" Stirrup Type Water Spray Pump (Fire Extinguisher); and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

June 27, 1942.

Re: Cal. No. 346-42-SA.

Subject: "Empyre" and "Stop-Fire" (Stirrup Type Water Spray Pump), approval of.

The Empyre Fire Extinguisher Corporation of New York City filed an application with the Board of Standards and Appeals on April 27, 1942 for the approval of their "Empyre" and "Stop-Fire" Stirrup Pump as an extinguishing device to be used in incendiary bombing and in secondary fires resulting therefrom, under the powers given to the Board by Section 666, Paragraph 1 of the New York City Charter reading: "To test and approve materials and appliances to be used pursuant to law."

The applicant contends that the purpose of this pump is to furnish water to extinguish fires generally, and specifically to exhilarate and extinguish incendiary bombs of the magnesium type. The pump is purported to be capable of delivering a solid stream and a fine

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spray; the latter to accelerate the burning bomb, the former to be directed on secondary fires resulting therefrom.

Description

The pump is purported to be made according to specifications of the Office of Civilian Defense and the War Production Board. It is a portable type pump for use with a common household bucket and consists of a pumping unit, foot stirrup and a 12' length of reclaimed rubber hose. The pump is a normally operated, single suction, double discharge type. The pump cylinders are made of 18 gauge steel, welded tubing, the outer cylinder being 1 1/8" O.D. 20" long and the inner cylinder 3/4" O.D. 18" long. These cylinders are coated inside and outside to resist corrosion. The stirrup and foot rest are made of formed steel, malleable iron or 1/2" O.D. welded steel tubing and attached to the pump cylinder either by welding or by clamping in such a position as to allow a clearance of 1 1/2" between the stirrup and the pump.

The nozzle is of the dual type so as to deliver either a spray or a solid stream by actuating a sliding mechanism with a hole in it across the nozzle which has a mating hole.

Tests

Tests were conducted under the supervision of the Fire Department at the Fire College and witnessed by a committee of the Board as follows: A bomb was simulated by heaping magnesium in quantity of about 1 lb. The magnesium pile consisted of turnings and end pieces of magnesium alloy. Each heap contained approximately 1 lb. of this material and was spread over a wood deck constructed of 3/4 in. planking tight jointed. The base of the cone of magnesium was approximately 12 in. in diameter. The material was then ignited and upon a signal from the inspector, who having determined that the magnesium was burning vigorously, the applicant directed a stream from his pump to the magnesium through a 12 ft. length of hose being 6 ft. distant from the simulated bomb. He appeared to have physical difficulty in maintaining a constant stream and considerable energy was expended by the operator when operating at 20 strokes a minute. The simulated bomb was extinguished in 2 min., 25 sec. after the first application of the stream. The fireman who operated the stirrup pump was completely exhausted.

A retest was made and leaks which developed in the hose connections were removed which resulted in a more steady flow of water but the stream was again intermittent but to a lesser degree than in the first test.

The nozzle of the hose is made of plastic consisting of a vent operating on the slide principle across an orifice. The widening of the opening varies the stream from spray to solid. The nozzle delivers a spray unless it is manually held in the stream position.

The pump which was used in the test was then submitted to the Central Testing Laboratory (Report B17423) for material and performance check with results as follows:

Kind (Name)	"Empyre"
Type	Portable, manually operated, single action.
Finish	Blued
Barrel Dimensions (inches)	Ferrous metal tube, O.D. 1 1/8", wall thickness .050", length 16".
Plunger	Ferrous metal tube, O.D. 3/4", wall thickness .050", length to discharge part 18 3/4".
Strainer	Ferrous metal, stamped plate with 1/8" whales, held in place by lugs bent in from barrel wall.
Handle	"D" shape, with wood grip 1" diameter and 6" wide with ferrous metal arc.

Foot Rest

Length of Strokes
Nozzle

Hose

Approximate width of spray at 12 ft.
Approx. width of spray at 18 ft.

Discharge of 30 ft. stream in gallons per min. at 60 strokes per min.

Discharge per stroke at 60 strokes per min., in gallons

Ferrous metal Tube 1/2" O.D., wall thickness .070", welded to barrel

12 5/8"

Plastic material, with slide lever and spring (from stream to spray)

Apparently rubber, length 12', O.D. 5/8", I.D. 3/8"

24'

Pulsating spray varies in length from 16 to 18 ft., width about 24"

1.94

.0323

Parts of Pump are not readily removable for replacement.

Recommendations

On the basis of the foregoing data and test, the Committee is of the opinion that the device has a few defects which can and should be remedied. The Committee also feels that improvement should be made in the actuating of the pump handle in that it is inconceivable that any ordinary person can satisfactorily operate this pump in an emergency.

The Committee further recommends that the pump be investigated and corrected so that a solid stream and a continuous spray are obtained rather than the pulsating stream and pulsating spray experienced at the test. In view of the foregoing the Committee recommends disapproval, pending improvements to overcome the objections raised.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

JOHN E. GUNN,
Deputy Chief,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the disapproval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *disapprove* the appliance known as the "Empyre" and "Stop Fire" Stirrup Type Water Spray Pump (Fire Extinguisher).

372-42-SA.

APPLICANT—National Cantonment Amusement Service Incorporated, owner.

SUBJECT—"Fire Smother" (Rock Powder Fire Extinguisher), approval of.

APPEARANCES—

For Applicant: Stanley Waldo and E. R. Smith.

ACTION OF BOARD—Appliance disapproved.

THE VOTE TO APPROVE—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (372-42-SA)

WHEREAS, the National Cantonment Amusement Service, Inc., owner, filed on May 7, 1942, an application with the Board of Standards and Appeals for approval of the appli-

MINUTES

ance known as "Fire Smother" (Rock Powder Fire Extinguisher); and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 26, 1942.

Re: Cal. No. 372-42-SA.

Subject: "Fire Smother" (Rock Powder Fire Extinguisher), approval of.

The National Cantonment Amusement Service, Inc. of New York City filed an application with the Board of Standards and Appeals on May 7, 1942, for the approval of their bomb extinguishing material known as "Fire Smother" under the powers given to the Board by Section 666, paragraph 1 of the New York City Charter, reading: "to test approved materials and appliances to be used pursuant to law."

The applicant contends that the purpose of this material is to blanket and smother incendiary bombs and in so doing minimize the fire spread.

Description

The material is furnished in a container made of chip cardboard with a sealed bottom cap and a loose top cap. The container is 4 in. in diameter and 36 in. in length and holds 12 lbs. of the material. The applicant has furnished an analysis of the material as reported by Ledoux & Company, Inc. of New York as follows:

Moisture	0.07%
Ignition loss	56.86%
Silica	0.50%
Iron and Aluminum Oxides.....	0.51%
Calcium Oxide	30.50%
Magnesium Oxide	21.50%
Insoluble Silicious Matter	21.95%

Under the supervision of the Fire Department and witnessed by a Committee of the Board, a bomb was simulated by heaping magnesium in quantity of about 1 lb. The magnesium pile consisted of turnings and end pieces of magnesium alloy. Each heap contained approximately 1 lb. of this material and was spread over a wood deck constructed of $\frac{3}{4}$ in. planking tight jointed. The base of the cone of magnesium was approximately 12 in. in diameter. The material was then ignited and at the request of the applicant a fireman assisted by the applicant applied the powder, which was contained in a long cardboard tube. He applied the powder by pouring it from the container. The powder completely covered the simulated bomb and blanketed the flame in 35 sec. Craters were produced and small amounts of flame emanated therefrom. Thereupon powder was applied completely filling the craters. When the applicant concluded that the fire had been extinguished, which

was at the end of 5 min. 10 sec., the pile was opened for examination and the flame flashed back, upon admission of air. Since no more powder was on hand, sand was added and subsequently upon removal of the added sand the deck was found in a burning condition.

For the purposes of comparison the test was repeated except that sand alone was used as the extinguishing medium. When the incendiary bomb was burning at its peak sand was applied by throwing it with considerable impact so as to evaluate the effects of scatter as well as smother. The resulting fire was difficult to control. However, two pairs of sand were sufficient to completely blanket out the burning magnesium and extinguish both the bomb and the burning of the wood decking. It is the opinion of the Committee that the sand test was the most severe of all the tests performed at the Fire College that morning.

A sample of the material was sent to the Central Testing Laboratory. Report B 17425 with an analysis of the material is as follows:

Total carbon dioxide	39.0%
Calcium compounds calculated to calcium oxide	30.0%
Total magnesium compounds calculated to magnesium oxide	30.0%
Siliceous matter, iron oxide and alumina (by difference)	1.0%

Recommendations

On the basis of the foregoing data and test, the Committee is of the opinion that the "Fire Smother" material offered for test has no particular advantage except for its non-hygroscopic properties over ordinary fine dry sand, which is so readily available, and accordingly recommends that the application be disapproved.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

JOHN E. GUNN,
Deputy Chief,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the disapproval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *disapprove* the appliance known as "Fire Smother" (Rock Powder Fire Extinguisher).

Adjourned: 3:50 P. M.

JOSEPH J. DOYLE, Chief Clerk.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the Board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

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| 545-42-BZ | H.B.Q. | 77-02 Roosevelt avenue, southeast corner of 77th street (Block No. 1488, Lot No. 1), Jackson Heights, Borough of Queens, Misc. 3179-42. |
| 546-42-A | F.D. | 2431-2439 Broadway, southwest corner of West 90th street (Block No. 1237, Lot No. 52), Borough of Manhattan, Order Letter No. 660. |
| 547-42-A | F.D. | 2561-2567 Broadway, northwest corner of West 96th street (Block No. 1868, Lot No. 6), Borough of Manhattan, Order Letter No. 661. |
| 548-42-BZ | H.B.B. | 492-500 Lorimer street and 56-62 Powers street, southeast corner (Block No. 2780, part of Lot No. 1), Borough of Brooklyn, B. N. 1592-42. |
| 549-42-A | H.B.B. | 94 Amity street, south side, 152 ft. west of Henry street (Block No. 295, Lot No. 17), Borough of Brooklyn, Alt. 1830-42. |
| 550-42-A | H.B.B. | 160 Scott avenue, southeast corner of Scholes street (Block No. 2972, Lot Nos. 1 and 25), Borough of Brooklyn, N. B. 305-42. |
| 551-42-A | F.D. | 8020 Preston court, south side, 140 ft. east of Ralph avenue (Block No. 7918, Lot No. 14), Borough of Brooklyn, 92131-L. C. |
| 552-42-BZ | H.B.B. | 126-150 Kings Highway, southwest corner of West 13th street (Block No. 6618, Lot Nos. 34 and 52), Borough of Brooklyn, B. N. 1111-42. |
| 553-42-A | H.B.B. | 160 Scott avenue, southeast corner of Scholes street (Block No. 2972, Lot Nos. 1 and 25), Borough of Brooklyn (under section 35, General City Law re bed of mapped street—Seneca avenue), N. B. 305-42. |
| 554-42-S | H.B.Q. | 47-16 Austell place, southwest corner of 27th (Ashburn) street (Block No. 98, Lot Nos. 42 and 30), Long Island City, Borough of Queens, Decision re Corr. 559-42. |
| 555-42-SA | | Mills Coin-Controlled Automatic Bottle Vendor, Appliance. |
| 556-42-BZ | H.B.M. | 9 Columbus avenue, east side, 100 ft. 5 in. north of West 59th street (Block No. 1112, Lot No. 64), Borough of Manhattan, Decision. |
| 557-42-BZ | H.B.Q. | 95-07 63rd road, north side, 20.43 ft. west of 96th street (Block No. 2084, Lot Nos. 153, 155 and 156), Rego Park, Borough of Queens, Misc. 3421-42. |
| 558-42-BZ | H.B.Q. | 96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 101), Rego Park, Borough of Queens, Misc. 3420-42. |

559-42-A—F.D.—409 East 47th street, north side, 150 ft. east of First avenue (Block No. 1359, Lot No. 9), Borough of Manhattan, 31240-L. C.

560-42-BZ—H.B.M.—62-66 Essex street, east side, 100.2 ft. north of Grand street (Block No. 351, part of Lot No. 1), Borough of Manhattan, Decision re Certificate of Occupancy.

561-42-A—H.B.Bx.—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx, Decision re Revocation of Alt. 367-42.

562-42-A—H.B.Q.—72-40 Elizabeth avenue, south side, 320 ft. west of Beach 72nd street (Block No. 521, Lot No. 1), Arverne, Borough of Queens (under section 35, General City Law re bed of mapped street, Barbados drive), Alt. 1239-42.

563-42-SA—The Drever Ammonia Dissociator, Appliance.

564-42-A—F.D.—937-939 Fulton street and 485-495 Waverly avenue, northeast corner (Block No. 1938, Lot Nos. 1 and 45), Borough of Brooklyn, 8001-L. F. and Decision.

565-42-A—H.B.M.—2294-2296 Seventh avenue, southwest corner of West 135th street (Block No. 1940, Lot No. 35), Borough of Manhattan, Amendment to Misc. 921-42 (Spr.).

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1089-41-A—F.D.—550-554 Eighth avenue, east side, 40 ft. north of West 37th street and 265-267 West 37th street (Block No. 787, Lot Nos. 1 to 10, inclusive and part of Lot No. 8), Borough of Manhattan, 31088-L. C.

6-37-SA—Diesel American Oil Burner, Models DAO, DA-2 and DA-3, Appliance.

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JULY 21, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, July 21, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

705-41-BZ—Application, July 31, 1941, under section 7h of the zoning resolution, of Max Horn, applicant, on behalf of Idella R. Koechel, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 170 Beach 105th street, northeast corner of Shore Front parkway (Block No. 643, Lot Nos. 10, 17 and 18), Rockaway Beach, Borough of Queens.

465-42-BZ—Application, June 11, 1942, under sections 7a and 7c of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of 8302 Atlantic Avenue Corporation, owner, to permit in a residence use district, the extension of an existing factory building by the construction and use of a new cellar; premises 83-02 to 83-20 Atlantic avenue, 94-01 to 94-15 83rd street, southeast corner and 94-02 to 94-16 84th street (Block No. 9014, Lot Nos. 1 and 11), Ozone Park, Borough of Queens.

177-42-BZ—Application, March 4, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of John F. McKenna, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 582-610 86th street, southeast corner of Gatling place (Block No. 6054, Lot Nos. 19, 20, 22 and 27), Borough of Brooklyn.

371-42-BZ—Application, May 7, 1942, under sections 7f and 7h of the zoning resolution, of Paul Friedman, applicant,

on behalf of Underwriters Trust Company (as trustee), owner (Bertha Friedman, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 6301-6323 11th avenue, east side, from 63rd to 64th streets, 1102-1112 63rd street and 1101-1111 64th street (Block No. 5738, Lot No. 1), Borough of Brooklyn.

406-41-BZ—Application, May 5, 1941, under section 7e of the zoning resolution, of A. Paul Loshen, applicant, on behalf of Samuel Litt, owner, to permit in a business use district, for a term of two (2) years, the erection of a lumber shed and the use of the premises as an office in connection with the lumber yard; premises 218-35 to 218-41 Hempstead avenue, north side, 195.50 ft. west of Springfield boulevard (Block No. 10766, Lot No. 47), Laurelton, Borough of Queens.

542-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Haganman, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 936 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

314-42-BZ—Application, April 15, 1942, under section 7h of the zoning resolution, of Union Parking Corporation, applicant and lessee, on behalf of Dry Dock Savings Institution, owner, to permit in a retail-1 use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 122-126 West 48th street, south side, 245 ft. west of Sixth avenue (Block No. 1000, Lot No. 43), Borough of Manhattan.

140-42-BZ—Application, February 18, 1942, under section 21 of the zoning resolution, of Anthony M. De Rose, applicant, on behalf of Anton Escherich, owner, to permit in a business use district, the erection and maintenance of a six (6) car garage on the same plot with an existing four (4) car garage; premises 2851-2853 Bailey avenue, west side, 498 ft. south of West 230th street (Block No. 3264, Lot No. 63), Borough of The Bronx.

10-42-BZ—Application, January 5, 1942, under section 7f of the zoning resolution, of Frank C. Keller, applicant, on behalf of Lina S. Kissam, owner, to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, Lot Nos. 37 and 45 and Block No. 10789, Lot Nos. 37, 38 and 43), Queens Village, Borough of Queens.

1101-41-BZ—Application, December 23, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit partly in a business use and partly in an unrestricted use district, the reconstruction of an existing gasoline service station; premises 451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn.

Appeals from Administrative Decisions.

481-42-A—451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn.

11-42-A—220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, parts of Lot Nos. 37 and 45 and Block No. 10789, Lot Nos. 38 and 43), Queens Village, Borough of Queens (under section 35, General City Law—re bed of mapped street—proposed 96th avenue).

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

JULY 21, 1942, 2 P. M.

Appeals from Administrative Decisions.

529-42-A—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn.

445-42-A—208-210 West 56th street, south side, 122 ft. 7 in. east of Broadway (Block No. 1027, Lot No. 40), Borough of Manhattan.

428-42-A—90-41 77th street, east side, 18 ft. north of 91st avenue (Block No. 8956, Lot No. 66), Woodhaven, Borough of Queens.

446-42-A—115-117 West 45th street, north side, 180 ft. west of Sixth avenue (Block No. 998, Lot No. 24), Borough of Manhattan.

438-42-A—372-380 Carlton avenue, 313-321 Cumberland street and 21-23 Greene avenue, north side, between Carlton avenue and Cumberland street (Block No. 2119, Lot Nos. 1 to 5, inclusive, and Lot No. 44), Borough of Brooklyn.

459-42-A—445-455 Blake avenue and 318-326 Junius street, northwest corner (Block No. 3763, Lot No. 46), Borough of Brooklyn.

437-42-A—486 Seventh avenue, west side, 254 ft. 6 in. south of 16th street (Block No. 1056, Lot No. 41), Borough of Brooklyn.

333-42-A—19 East 60th street, north side, 95 ft. west of Madison avenue (Block No. 1375, Lot No. 13), Borough of Manhattan.

355-42-A—350-354½ Greenwich street, northwest corner of Harrison street (Block No. 183, Lot Nos. 15 and 17), Borough of Manhattan.

358-42-A—71 Broome street, south side, 50.4 ft. west of Cannon street (Block No. 331, Lot No. 42), Borough of Manhattan.

391-42-A—719-725 West 181st street and 2-8 Bennett avenue, northwest corner (Block No. 2180, Lot No. 80), Borough of Manhattan.

401-42-S—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street, and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

386-42-A—1447 Metropolitan avenue, west side, 580 ft. north of McGraw avenue (Block No. 3937, part of Lot No. 1), Borough of The Bronx.

387-42-A—1440 West avenue, west side, 312.55 ft. north of McGraw avenue (Block No. 3937, part of Lot No. 1), Borough of The Bronx.

463-42-A—2701-2711 Webster avenue, northwest corner of East 195th street (Block No. 3278, Lot No. 45), Borough of The Bronx.

464-42-S—2701-2711 Webster avenue, northwest corner of East 195th street (Block No. 3278, Lot No. 45), Borough of The Bronx.

511-42-A—1660 Hering avenue, east side, 55.03 ft. south of Van Nest avenue (Block No. 4113, Lot No. 64), Borough of The Bronx.

360-42-A—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

359-42-S—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

991-41-A—1474 Ocean parkway, west side, 280 ft. north of Avenue O (Block No. 6587, Lot No. 41), Borough of

Brooklyn (reopened and restored to calendar May 19, 1942; previously withdrawn).

407-42-A—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

Appliances and Materials for Approval.

- 333-39-SM—DeYorgi Bros. Concrete Block.
- 681-40-SA—Westinghouse Type B2 Interlock.
- 682-40-SA—Westinghouse Type BC Interlock.
- 683-40-SA—Westinghouse Type C Electric Contract.
- 699-40-SA—Westinghouse Type OC Oil Buffer.
- 701-40-SA—Westinghouse Type 126B Interlock.
- 727-40-SA—Westinghouse Type F Interlock.
- 728-40-SA—Westinghouse Type P Interlock.
- 743-40-SA—Westinghouse Type SC Contact.
- 744-40-SA—Westinghouse Type CH Contact.
- 767-40-SA—Westinghouse Types A-3 and A-3R Elevator Door Hangers.
- 768-40-SA—Westinghouse Types B-3 and B-3R Elevator Door Hangers.
- 1150-40-SA—Westinghouse Type FC Gate Contact.
- 424-42-SM—Jackson System (fastenings for Acoustical and Insulating Materials for Walls and Ceilings).
- 339-42-SM—Scovill Manufacturing Company Rubber Covered Hose Nozzle, Catalogue H-227 and Scoville Manufacturing Company Spike Sprinkler Cap, Catalogue H-250.
- 22-42-SM—Wolmanized Lumber.

JULY 23, 1942, 10 A. M.

Appeals from Administrative Decisions.

440-42-A—2462-2470 (2434-2442 displayed) Cropsey avenue, west side, between Bay 37th and Bay 38th streets (Block No. 6928, Lot No. 1; Block No. 6942, Lot No. 93 and Block No. 6946, Lot No. 377), Borough of Brooklyn.

492-42-A—2283-2285 Eighth avenue, west side, 50 ft. 11 in. south of West 123rd street and 254 St. Nicholas avenue (Block No. 1949, Lot No. 33), Borough of Manhattan.

496-42-A—2 East End avenue, west side, 102 ft. north of East 79th street and 535 East 79th street (Block No. 1576, Lot No. 23), Borough of Manhattan.

532-42-A—3511 Peartree avenue, west side, 238.02 ft. south of Boston road (Block No. 5282, Lot No. 15), Borough of The Bronx.

527-42-A—667-675 Washington street and 279 West 10th street, northeast corner (Block No. 631, Lot No. 1), Borough of Manhattan.

490-42-A—355 Pearl street and 44 Myrtle avenue, southeast corner (Block No. 146, Lot No. 19), Borough of Brooklyn.

491-42-S—5712-5728 First avenue, northwest side 120 ft. southwest of 57th street (Block No. 827, Lot No. 12), Borough of Brooklyn.

531-42-A—347 Greenwich street, east side, 100 ft. 4 in. north of Jay street (Block No. 180, Lot No. 23), Borough of Manhattan.

500-42-A—150-14 109th road southwest corner of 153rd street (Block No. 12141, Lot No. 13), South Jamaica, Borough of Queens.

JULY 28, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

CALENDAR

of the zoning resolution, *Tuesday morning, July 28, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

77-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Anagal Realty Company, Incorporated, owner, reopened November 5, 1941, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the maintenance and the extension of a gasoline service station (previously granted by the Board for a temporary period); premises 181-07 Horace Harding boulevard, north-east corner of Utopia parkway (Block No. 7065, Lot No. 5), Flushing, Borough of Queens.

228-42-BZ—Application, March 20, 1942, under section 7h of the zoning resolution, of Thomson Hill Land and Improvement Company, applicant and owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 39-16 48th avenue, southwest corner of 39th place (Block No. 206, Lot No. 18), Long Island City, Borough of Queens.

276-42-BZ—Application, April 1, 1942, under section 7c of the zoning resolution, of Joseph B. Lynch, applicant, on behalf of Louis Iervolino and Thomas Iervolino, owners, to permit in a residence use district, the reconstruction and change of occupancy of an existing garage building to a gasoline service station; premises 81 Rapelye street, north-west corner of Hicks street (Block No. 363, Lot No. 38), Borough of Brooklyn.

442-42-BZ—Application, May 28, 1942, under section 7c of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

349-42-BZ—Application, April 13, 1942, under sections 7h and 21 of the zoning resolution, of Herman Kron, applicant, on behalf of Emigrant Industrial Savings Bank, George Kraus and John Kraus, owners (J. K. Construction Company, Incorporated, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56, Borough of Manhattan).

508-42-BZ—Application, June 24, 1942, under section 21 of the zoning resolution, of William Shary, applicant, on behalf of S. E. R. Realty Corporation, owner (H. E. R. Laboratories, Incorporated, lessee), to permit in a residence use district, the extension in height of a business building; premises 457 West 46th street, north side, 175 ft. east of Tenth avenue (Block No. 1056, Lot No. 8), Borough of Manhattan.

143-42-BZ—Application, February 18, 1942, under sections 7a and 7c of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Five Eleven Realty Corporation, owner, to permit in a residence use district, the alteration and extension of a business use on the first (1st) story and, also, the extension and conversion of occupancy from residence use to business use of the second (2nd) story of an existing building; premises 509 East 72nd street, north side, 173 ft. east of York avenue (Block No. 1484, Lot No. 8), Borough of Manhattan.

31-33-BZ—Application of Lama and Proskauer, applicants, on behalf of Packer Service Center, Incorporated, owner, reopened November 18, 1941, under sections 7f and 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of years, the use of a plot of ground as a gasoline service station and, also, for the parking and storage of more than five (5) motor vehicles; premises 610-622 Utica avenue, northwest corner of Winthrop street (Block No. 4603, Lot No. 40), Borough of Brooklyn.

536-42-BZ—Application, July 3, 1942, under sections 21 and 7c of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of General Bronze Corporation, owner, to permit in a business use district, the erection and maintenance of a building to be used for metal manufacturing; premises 34-12 10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45, inclusive), Long Island City, Borough of Queens.

425-42-BZ—Application, May 22, 1942, under sections 7i and 21 of the zoning resolution, of Bishop, McCormick and Bishop, applicants and lessees, on behalf of Bismac Corporation, owner, to permit partly in a business use and partly in a residence use district, for a term of years, the conversion of occupancy of a building to a motor vehicle repair shop (this case was previously acted upon by the Board); premises 139-29 Hillside avenue, north side, 103.40 ft. west of 143rd street (Block No. 9698, Lot Nos. 21 and 23), Jamaica, Borough of Queens.

1023-41-BZ—Application, November 27, 1941, under section 7h of the zoning resolution, of Max Horn, applicant, on behalf of St. Georges Church, owner (Harry Zeitlin, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 162 Beach 110th street, north-east corner of Ocean Promenade (Block No. 654, Lot No. 42, Rockaway Beach, Borough of Queens).

696-41-BZ—Application, July 25, 1941, under section 7h of the zoning resolution, of David Koss, applicant, on behalf of Edward Schneider, Anthony Gazzola, Charles Parma and Celestine Parma Powers, owners (Julia Murphy, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 101-15 Rockaway Beach boulevard, south side, 50 ft. east of Beach 102nd street and 184 Beach 102nd street (Block No. 640, Lot No. 11), Rockaway Beach, Borough of Queens.

893-41-BZ—Application of Irving M. Fenichel, applicant, on behalf of Stapleton Service Laundry, Incorporated and Margreen Realty Company, Incorporated, owners (Stapleton Service Laundry, Incorporated, lessee), reopened June 23, 1942, under section 21 of the zoning resolution, to permit in a manufacturing use district, the conversion of occupancy of part of an existing building to a laundry (including dry cleaning use); premises 46-62 Greenleaf avenue and 141-157 Marion street, northwest corner (Block No. 237, Lot Nos. 73 and 69), West New Brighton, Borough of Richmond.

505-42-BZ—Application, June 23, 1942, under section 7h of the zoning resolution, of John P. Riley, applicant and Chief Engineer, on behalf of New York City Housing Authority, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 278-292 Tenth avenue, east side, between West 26th and West 27th streets, 455-463 West 26th street and 446-460 West 27th street (Block No. 724, part of Lot No. 1), Borough of Manhattan.

525-42-BZ—Application, July 1, 1942, under section 7h of the zoning resolution, of Julius Soman, applicant and Assistant Engineer, on behalf of New York City Housing Authority, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 204-232 West 64th street, south side and 203-219 and 225-231 West 63rd street, north side, 100 ft. west of Amsterdam avenue (Block No. 1155, part of Lot No. 14), Borough of Manhattan.

1052-41-BZ—Application, December 4, 1941, under section 7c of the zoning resolution, of Frank Straub, on behalf of Frederick Figge Company, owner, to permit in a business use district, the conversion of occupancy of an existing building to factory use; premises 300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

CALENDAR

Appeal from Administrative Decision.

456-42-S—300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 28, 1942, 2 P. M.

Appeals from Administrative Decisions.

383-42-A—383 Third avenue, east side, 205 ft. south of Third street (Block No. 980, Lot No. 1), Borough of Brooklyn.

400-42-A—134-184 43rd street and 4302-4320 Second avenue, southwest corner (Block No. 726, Lot No. 1), Borough of Brooklyn.

553-42-A—160 Scott avenue, southeast corner of Scholes street (Block No. 2972, Lot Nos. 1 and 25), Borough of Brooklyn (under section 35, General City Law—re bed of mapped street—Seneca avenue).

202-42-A—172-176 and 178-184 South Elliott place, west side, 131 ft. 4 in. north of Atlantic avenue (Block No. 2002, Lot Nos. 46-52), Borough of Brooklyn.

Appliances and Materials for Approval.

695-39-SM—Nazareth Dark Portland Cement (reopened December 16, 1941 re amendment of resolution; previously approved re Nazareth Portland Cement and Nazco High-Early-Strength Portland Cement).

486-42-SM—New York Trap Rock Corporation Clinton Point Dolomite Crushed Stone.

620-40-SM—"Fiberglas" Thermal and Sound Insulation.

6-37-SA—Diesel American Oil Burner, Models DA-0, DA-2 and DA-3 (reopened July 14, 1942 re amendment of resolution; previously approved re Model DA-1).

250-40-SM—National Carbide Floodlights, Models NC-100, NC-200, Handy Light NC-199 and Police Emergency NC-299 (reopened June 2, 1942 re amendment of resolution; previously approved re National Carbide V-G Light).

395-42-SM—Antiflame (Fireproof Compound).

887-41-SM—Boosey #109 Drainage Control Valve.

1407-39-SM—United Floor Construction.

470-42-SA—Cen-D-Out (for extinguishing incendiary bombs).

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 14, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning, July 7, 1942 and Tuesday afternoon, July 7, 1942, were approved as printed in Bulletin No. 28, Vol. 27.

ZONING CASES.

705-41-BZ.

APPLICANT—Max Horn, for Idella R. Koechel, owner.
SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—170 Beach 105th street, northeast corner of Shore Front parkway (Block No. 643, Lot Nos. 10, 17 and 18), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn, M. L. Golieb, James A. Martin and Idella R. Koechel.
For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 21, 1942 at 10 A. M. for further consideration by the Board.

706-41-BZ.

APPLICANT—Max Horn, for Viola Murtha, owner.
SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—115-117 Beach 96th street, northwest corner of Shore Front parkway (Block

No. 635, Lot No. 76), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn and James M. Murtha.

For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (706-41-BZ)

WHEREAS, Max Horn, for Viola Murtha, owner, filed on July 31, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 115-117 Beach 96th street, northwest corner of Shore Front parkway (Block No. 635, Lot No. 76), Rockaway Beach, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Shore Front Parkway is in a residence and business use district; Beach 96th street is in a residence use district and Beach 97th street is in a business use district; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 5827-41, dated July 31, 1941 and as amended June 15, 1942, reads:

"1. The parking and storage of motor vehicles in a residence use district is contrary to Art. 2, Sec. 3 of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Ocean Front parkway and 48 ft. on Beach 96th street. It is proposed to use the plot, for a term of two (2) years, for parking of more than five (5) motor vehicles; and

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WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for the transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked and only those capable of operation; that adequate fences or hedges shall be maintained along the westerly and northerly street building lines, in addition to the chain link fence along the line of the Shore Front parkway, except for one entrance to Beach 96th street, not over 15 feet in width with curb cut opposite of similar width; that during the term of this permit, the premises shall be occupied for no other use than the transient parking herein permitted and no building shall be erected thereon; that no signs shall be erected, except there may be a sign attached to the fence near the entrance advertising the transient parking use and the rates charged, provided the sign does not extend beyond the building line, does not exceed 15 sq. ft. in area and is not illuminated; that the plot shall be leveled and surfaced with suitable material; that all permits required shall be obtained and all work completed within two (2) months from the date of this resolution.

845-41-BZ.

APPLICANT—Max Horn, for Brooklyn Trust Company (as trustee), owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a residence use and partly in a business use district, for a term of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—14-07 Seagirt avenue and 121 Beach 14th street, southwest corner (Block No. 149, part of Lot No. 1), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (845-41-BZ)

WHEREAS, Max Horn, for Brooklyn Trust Company (Charles J. Kean, trustee), owner, filed on September 30, 1941, an application under section 7h of the zoning resolution, to permit partly in a residence use and partly in a business use district for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 14-07 Seagirt avenue and 121 Beach 14th street, southwest corner (Block No. 149, Part of Lot No. 1), Far Rockaway, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Seagirt avenue is in a residence use district; Ocean Promenade is in a business use district; Beach 14th and Beach 16th streets are in a business and residence use district; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 6777-41, dated September 25, 1941, and amended April 22, 1942, reads:

"1. Proposed parking lot for more than five cars, partly in a business and partly in a residence district is contrary of Art. 2, Sections 3 and 4 of the zoning resolution."

and

WHEREAS, the premises, part of a larger parcel of property, consist of a plot of ground having a frontage of 260 ft. on Beach 14th street and 140 ft. on Seagirt avenue; part of the plot is in a business use and part of the plot is in a residence use district. It is proposed to use the plot, for a term of two years, for parking of more than five (5) motor vehicles. This parking use is part of the facilities extended by the bathing establishment occupying part of the premises and will be used, without fee, by patrons of the bathing establishment; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-h thereof, for a term of two (2) years from the date of this resolution, to permit the plot as indicated on plans filed herewith, with a frontage of 260 feet on Beach 14th street and 140 ft. on Seagirt avenue to be occupied for the transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type and those capable of operation shall be so parked; and only cars of the guests of the bathhouse on the same premises; that no charge shall be made for such parking; that the woven wire fence existing on the street fronts, shall be maintained; that the premises shall be leveled and properly surfaced; that no signs shall be erected on the premises, advertising the parking use, except there may be a sign at the entrance from Beach 14th street and the entrance from Seagirt avenue, stating that parking privileges are exclusively for the guests of the bathhouse; that all uprights or other structures not required in connection with the parking lot as herein permitted shall be removed, leaving only the woven wire fence with the hedge behind same protected by adequate bumpers; that all permits required shall be obtained and all work completed within two (2) months from the date of this resolution.

1029-41-BZ.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation and Staten Island Rapid Transit Railroad Company, owners.

SUBJECT—Application (re decision of the borough superintendent, under section 7c of the zoning resolution, to permit in a business use district, the extension and reconstruction of an existing gasoline service station.

PREMISES AFFECTED—263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1029-41-BZ)

WHEREAS, Henry C. Brockman, for Gulf Oil Corporation, and also Staten Island Rapid Transit Railway owners, filed November 27, 1941, an application under section 7c

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of the zoning resolution, to permit in a business use district, the extension and reconstruction of an existing gasoline service station; premises 263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bay street is in a business (1) use district; Hannah street is in unrestricted, business (1) and business use districts and Van Duzer street is in a business use district; and

WHEREAS, the decision of the borough superintendent, dated November 14, 1941, re N.B. Applic. No. 511-41, reads:

"1. Reconstruction and extension in area of gasoline station is prohibited in a business use district. Sec. 4A subd. 4b and Sec. 6 of the Zoning Resolution.

Note: A very minor portion of this property is in an unrestricted use district."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 109 ft. on Bay street, 100.4 ft. along the easterly lot line—occupied in part as a gasoline service station. The area of the (legal) gasoline service station on the site is 99 ft. on Bay street, 81 ft. on Hannah street and a distance of 117 ft. along the southeasterly lot line, irregular, in area. It is proposed to erect upon the plot a one-story accessory building, 66 ft. 10 in. by 28 ft. 8 in. in area and to use the entire premises as a gasoline service station; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 1, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7c thereof, to permit the rearrangement, reconstruction and extension of the existing gasoline service station substantially in accordance with plans marked "Received July 13, as revised to July 10, 1942," on condition that the existing buildings shall be entirely removed and the accessory building shall be constructed toward the northerly corner as indicated and shall be arranged for washing, greasing and sales office; that such accessory building shall be constructed of incombustible materials, except that the roof beams, roof boarding, window frames and sash, door frames and door, may be of wood, except that such windows as are on the property line to the east shall be fireproof and self-closing, or the openings filled with approved glass block; that the yard space to the rear shall be concreted; that the greasing equipment shall be of the hydraulic type; that the heater room shall be enterable only from the exterior yard; that along the interior lot lines to the east and south where proposed walls of accessory building do not occur, there shall be constructed a masonry retaining wall on proper footing not less than 6 ft. above grade, except that such wall may be reduced within 10 ft. from the present line of Bay street to a height of not less than 4 ft.; that the planting area indicated shall be maintained and protected with concrete curbing not less than 6 in. in height and 6 in. in width above grade; that the balance of the plot where not covered by accessory building walls and planting and pumps, shall be surfaced with concrete, Colprovia or other suitable impervious material; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the pumps, excluding all roof signs and temporary signs, but permitting the erection at the intersection of Hannah street and Bay street, a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, and permitting such a sign to extend beyond the building line for a distance of not more than 4 ft.; that curb cuts shall be

restricted to existing curb cuts from Hannah street as shown, and two curb cut entrances to Bay street not exceeding 35 ft. in width each; that no part of the curb cut on Bay street shall be nearer to the side lot line, as extended, than 5 ft., except that the splay curb may extend for a distance of 2 ft.; that at the intersection of Hannah street and Bay street there shall be constructed and maintained a block of concrete which may be triangular or segmental in shape; that such block shall be not less than 5 ft. along either street and not less than 12 in. in height; that the pumps shall be erected not nearer than 15 ft. of the present street building line of Bay street; that the use of such portion of the premises within the proposed widening of Bay street may be permitted in accordance with the requirements of the resolution adopted this day under Cal. No. 495-42-A; that upon the taking of the land for the proposed widening of Bay street, the pumps shall be removed to the new building line so as to be not nearer than 10 ft. from the new building line, and similar curbs may be permitted from Bay street, and the curb cuts from Hannah street shall be reduced to a width of approximately 25 ft.; that the gasoline storage tanks shall not exceed four each of 1,000 gallons capacity as permitted by the Board under resolution adopted this day under Cal. No. 432-42-A; that complete working drawings shall be filed for approval by the Chairman in behalf of the Board before same are filed with the borough superintendent; that such plans shall be filed within three (3) months and after approval, all permits shall be obtained and all work shall be completed within two (2) years from the date of this resolution.

117-42-BZ.

APPLICANT—Lama and Proskauer, for Angelina Baldi, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1433-1435 De Kalb avenue, west side, 275 ft. north of Wilson avenue (Block No. 3255, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Angelina Baldi and Rosario Torino.

For Opposition: Mina E. Betz, Minnie Huebner, Frank Marcellino.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (117-42-BZ)

WHEREAS, Lama and Proskauer, for Angelina Baldi, owner, filed on February 10, 1942, an application under section 7h of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1433-1435 DeKalb avenue, west side, 275 ft. north of Wilson avenue (Block No. 3235, Lot No. 44), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that DeKalb avenue, Hart street, Knickerbocker avenue and Wilson avenue are each in a business use district; and

WHEREAS, the decision of the borough superintendent on B. N. Applic. No. 3022-41, dated January 20, 1942, reads:

MINUTES

"Storage and parking of more than five motor vehicles in a business use district is contrary to the Building Zone Resolution, Art. 11, 4a (15)."

and
WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 39 ft. 5 in. on DeKalb avenue and a distance of 100 ft. along the southerly lot lines. It is proposed to use the plot, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that all buildings and structures on the premises shall be removed, except the fences on the front and side lot lines; that where no such fence exists, a substantial fence shall be constructed, including a fence on the interior lot lines; that all fences shall be kept painted and repaired; that there shall be no openings to adjoining lots in such fences; that the existing fence and gate on the street building line shall be repaired and all advertising and posters removed therefrom and the fence kept painted; that no signs shall be erected on the premises, except there may be a sign attached to the fence at the entrance, advertising the storage and parking use and the rates charged, provided it does not exceed 15 sq. ft. in area and does not extend beyond the building line; that the plot shall be surfaced with steam cinders, clean gravel or other suitable material and treated with a binder; that a curb cut permit shall be obtained, permitting a curb cut not exceeding 10 feet in width; that during the term of this permit, the premises shall be occupied for no other use and no building shall be erected thereon; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

260-42-BZ.

APPLICANT—Clayton G. Shirkey, for Mollie Lilienfeld, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—36-02 Sprayview avenue and 111 Beach 36th street, northwest corner (Block No. 317, part of Lot Nos. 83 and 87), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Shirkey.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (260-42-BZ)

WHEREAS, Clayton G. Shirkey, for Mollie Lilienfeld, owner, filed March 30, 1942, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 36-02 Sprayview avenue and 111 Beach 36th street, northwest corner

(Block No. 317, Lot No. 83 and part of Lot No. 87), Edgemere, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution indicate that Sprayview avenue, Beach 36th and Beach 37th streets are in a residence use district; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 1620-42, dated March 30, 1942, reads:

"1. The use of these premises for the parking and storage of motor vehicles in a residence district is contrary to Art. 2, Sec. 3 of the zoning resolution."

and
WHEREAS, the premises, part of a larger parcel of property, consist of a plot of ground having a frontage of 80 ft. on Beach 36th street and 50 ft. on Sprayview avenue. It is proposed to use the plot, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the applicant stated that the size of the lot is 60 feet by 100 ft. and that the frame building, formerly used as a candy store and lunchcounter, has been removed and will not be replaced; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of two (2) years from the date of this resolution, to permit the premises, with a frontage of 60 feet on Sprayview avenue and 100 feet on Beach 36th street, to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type and those in condition for operation shall be so parked or stored; that such parking privileges shall be solely for the guests and tenants of the adjoining multiple dwellings on lots 83 and 87 under the same ownership; that adequate fences shall be maintained along Sprayview avenue and Beach 36th street, except for one entrance each to Sprayview avenue and Beach 36th street, not exceeding 15 feet in width each with curb cuts opposite of similar width; that no cars shall be parked nearer than 8 feet to the side walls of the adjacent multiple dwellings; that no signs shall be erected on the premises, except there may be a sign attached to the fence at the entrance stating the parking and storage is for the guests of the adjoining buildings; that this plot shall be adequately surfaced; that all permits required shall be obtained and all work completed within two (2) months from the date of this resolution.

265-42-BZ.

APPLICANT—Max Horn, for Long Island Railroad Company, owner (Merchants Association of Far Rockaway, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—21-10 New Haven avenue (Clark street), north side, 100 ft. east of Beach 22nd (White) street, 21-11 and 21-12 Cornaga avenue, north and south sides, 103 ft. east of Beach 22nd (White) street, along Long Island Railroad, running through to Far Rockaway boulevard (Block No. 214, Lot No. 6—parking lot "B" and Block No. 215, Lot No. 7—parking lot "A"), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn, John C. Herny and W. F. Brunner.

For Opposition: None.

MINUTES

For Administration: Fred Dahlem, Dep't of Housing and Buildings, L. Rabinowitz and P. J. O'Sullivan, Department of Investigation.
ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (265-42-BZ)

WHEREAS, Max Horn, for Long Island Railroad Co., owner (Merchants Association of Far Rockaway, lessee), filed March 31, 1942, an application under section 7h of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 21-10 New Haven avenue (Clark street), north side, 100 ft. east of Beach 22nd street (White street), 21-11 and 21-12 Cornaga avenue, north and south sides, 103 ft. east of Beach 22nd (White street) along Long Island Railroad running through to Far Rockaway boulevard (Block No. 214, Lot No. 6—parking lot "B" and Block No. 715, Lot No. 7—parking lot "A"), Far Rockaway, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 22nd street, Beach 21st street, Mott avenue and Far Rockaway boulevard are each in business and unrestricted use districts; Cornaga avenue and New Haven avenue are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, dated March 30, 1942, on Misc. Applic. No. 1685-42 reads:

"1. The use of these premises for the storage and parking of more than five motor vehicles in a business district is contrary to Art 2 Sec. 4'a' Subdivision 15 of the zone resolution."

and

WHEREAS, the decision of the borough superintendent, dated March 30, 1942, on Misc. Applic. No. 1686-42 reads:

"1. The use of that portion of premises extending into a business district for the storage and parking of more than five motor vehicles is contrary to Art. 2 sec. 4'a' sub-d'vision 15 of the Zone resolution."

and

WHEREAS, the premises consist of two (2) irregular shaped plots of ground, the northerly plot having a frontage of 50 ft. on Cornaga avenue, 70 ft. on Far Rockaway boulevard and a distance of 875 ft. along the easterly lot line. The southerly part of this plot, for a depth of 100 ft. is in a business use district—the remainder is in an unrestricted use district. The southerly plot having a frontage of 54 ft. on Cornaga avenue, 50 ft. on New Haven avenue and a distance of 443 ft. along the easterly lot line; this plot is in a business use district. It is proposed to use both plots, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles. No fee is to be charged for parking or storage of cars on this plot; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7h thereof, for a term of two (2) years to permit the premises within the business use district on Lot 6, Block 214, and Lot 7, Block 215, to be occupied for the transient parking of motor vehicles of the passenger car type only in con-

junction with the balance of Lot No. 6 in the unrestricted use district, on condition that the entire premises shall be maintained and operated by the Merchants Association of Far Rockaway; that no charge shall be made to any one for such parking privilege; that adequate fences shall be maintained along the lot lines at all points except at the entrances to Mott avenue and Cornaga avenue; that the premises shall be leveled and surfaced with adequate surfacing material, treated with a binder to prevent dusting and to provide surface drainage; that no signs shall be erected on the premises, except there may be a sign at each entrance advertising the parking privilege; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution.

315-42-BZ.

APPLICANT—Clayton G. Shirkey, for Long Island Railroad Company, owner (88th Street Garage Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—219 Beach 88th street, west side, 184 ft. north of Rockaway Beach boulevard and 220 Beach 90th street (Block No. 574, Lot No. 4), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Shirkey.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (315-42-BZ)

WHEREAS, Clayton G. Shirkey, for Long Island Railroad, owner (88th Street Garage Corporation, lessee), filed April 15, 1942, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 219 Beach 88th street, west side, 184 ft. north of Rockaway Beach boulevard, and 220 Beach 90th street (Block No. 574, Lot No. 4), Rockaway Beach, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 88th street and Beach 90th street are each in residence and business use districts; Rockaway Beach boulevard is in a business use district; Gull court is in a residence use district; and

WHEREAS, the decision of the borough superintendent, dated April 8, 1942, on Misc. Applic. No. 1773-42 reads:

"1. The parking or storage of motor vehicles on a plot located in a residence use district is contrary to Art. II Sect. 3 of the Bldg. Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 57 ft. on Beach 88th street, 52 ft. on Beach 90th street and a distance of 326 ft. along the northerly lot line. It is proposed to use the plot, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision h of the zoning resolution.

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Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7, subdivision h thereof, for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type and those capable of operation shall be so parked and stored; that the plot shall be leveled substantially to the grade of the adjoining streets and shall be surfaced with steam cinders, clean gravel or other suitable material, treated with a binder; that a fence similar to the fence on the Long Island right-of-way shall be maintained along Beach 90th and Beach 88th streets and along the interior lot line to the south, except where masonry walls of adjoining buildings exist; that such fence may, however, be constructed with wood posts and wood top rail and shall have one entrance to Beach 88th street and one to Beach 90th street, not over 11 feet in width each with curb cuts opposite of similar width; that during the term of this permit, the premises shall be occupied for no other use than the parking and storage herein permitted and no sign shall be erected on the premises, except there may be a sign erected near the entrance, advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft. in area; that all other signs on the premises shall be removed except the existing garage business sign painted on the garage wall; that all permits required shall be obtained and all work completed within two (2) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

432-42-A.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation and Staten Island Rapid Transit Railroad Company, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (432-42-A)

WHEREAS, Henry C. Brockman, for Gulf Oil Corporation and Staten Island Rapid Transit Railroad Company, owners, filed on May 27, 1942, an appeal from a decision of the borough superintendent affecting premises 263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent dated May 20, 1942 on Misc. Applic. No. 830-41 reads:

"1. Contrary to C19-690 Adm. Code to install buried gas tanks having a capacity greater than 550 gallons of gas to each tank."

and

WHEREAS, the premises consist of a plot 109.08 ft. by 106.42 ft. irregular in area, located in a business use "B" area district, which it is proposed to use as a gasoline service station, lubritorium and automobile laundry as permitted by the Board under Cal. No. 1029-41-BZ. It is proposed to install six 1,000 gallon underground storage tanks in lieu of twelve 550 gallon tanks, which will be required in compliance with the Administrative Code to supply the necessary gallonage in the station; and

WHEREAS, the applicant contends that the installation of twelve 550 gallon tanks would involve an intricate and complex manifold system inasmuch as only three dual pumps are used; that it is proposed to encase the six 1,000 gallon tanks in 12 in. concrete with required 8 in. reinforced slab over same and all provisions of the Administrative Code for the installation of 550 gallon tanks will be complied with and the tanks will be constructed to comply with the Oil Burner Rules of the Board of Standards and Appeals.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. No. 830-41, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than four 1,000 gallon gasoline storage tanks shall be installed; that such tanks shall comply as to construction with the requirements of the Oil Burner Rules for similar size tanks; that in all other respects the requirements of the Administrative Code shall be complied with as well as the conditions of the resolution adopted this day under Cal. No. 1029-41-BZ; that all existing gasoline storage tanks shall be moved from the premises.

495-42-A.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation and Staten Island Railroad Company, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—263 Bay street and 16 Hannah street, southeast corner (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond (under section 35, General City Law re bed of mapped street).

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (495-42-A)

WHEREAS, Henry C. Brockman, for Gulf Oil Corporation and Staten Island Rapid Transit Railroad Co., owners, filed on June 17, 1942, an application pursuant to section 35 of the General City Law for permission to erect a structure in the bed of a mapped street (Bay street) affecting premises 263 Bay street and 16 Hannah street, southeast corner, (Block No. 487, Lot No. 42), Tompkinsville, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent dated June 12, 1942 on N.B. Applic. No. 511-41 reads:

"2. Sect. 35, General City Law prohibits building or parts of such buildings to be built within the bed of streets or highways shown laid out on such map or plan. Board of Standards and Appeals approval by resolution required for any variance of this law."

and

WHEREAS, the applicant states that the premises consist of a plot 109.08 ft. by 106.42 ft. irregular in area, upon which it is proposed to erect a one story building, 14 ft. in height, 66 ft. 10 in. by 29 ft. 4½ in. in area, in a business use "B" area district and to occupy the premises as a gasoline service station, lubritorium and car washing; and

WHEREAS, the applicant contends that the Gulf Oil Corporation now owns a frontage of 99.08 ft. on Bay street upon which there exists a legal gasoline station and the Staten Island Rapid Transit Co. owns a 10 ft. frontage on Bay street which the Gulf Oil Corporation has a tentative agreement to purchase, subject to the action of this Board under Cal. No. 1029-41-BZ; that the depth of the street widening of Bay street ranges from 26.95 ft. at the intersection of Hannah street and continues southerly to a width of 25.83 ft. at the southerly line of the proposed extension of the gasoline station; that at the present time no portion of the mapped street is being used as driveways; that it is

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proposed to construct the station as shown on plans filed with the Board under Cal. No. 1029-41-BZ; that in view of the fact that title to the street has not been taken by the City, it is requested that the Board approve a variance of section 35 of the General City Law inasmuch as the gasoline station was established in 1928 and the proposed reconstruction will actually reduce the amount of improvements within the widened street area.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 511-41, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the authority granted the Board under Section 35 of the General City Law, to permit the occupancy of the area shown on the City Map for the proposed widening of Bay street as indicated on plan filed at this hearing, *on condition* that when such land is acquired by the City for street widening purposes that the gasoline pumps and wall, permitted in accordance with the resolution adopted this day under Cal. No. 1029-41-BZ, shall be entirely removed at the owner's expense; that no claim shall be made of any nature upon the city other than for the value of the land itself; that the sidewalks, curbing and curb cuts along Bay street shall be restored by the owner; that the wall to be constructed along the southerly side shall be cut back and may be reduced to original height of 4 ft. for a distance of 10 ft. from the new building line.

Adjourned, 12:00 Noon.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 14, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES

1000-40-BZ.

APPLICANT—Oscar Goldschlag, for Eckert Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the acting borough superintendent) previously withdrawn under section 21 of the zoning restoration, to permit in a residence use district, the alteration and conversion of occupancy of part of the first story of an existing multiple dwelling to business use (stores).

PREMISES AFFECTED—2337 Grand Concourse and 164 Field place, southwest corner (Block No. 3164, Lot No. 19), Borough of The Bronx.

APPEARANCES—

For Applicant: Oscar Goldschlag.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 9

1002-41-BZ.

APPLICANT—Jack Z. Cohen, for Board of Transportation, City of New York and Henbar, Incorporated, owners (Patrick Sottile, Lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—137-151 Livingston street and 22-30 Smith street, northwest corner (Block No. 154, Lot Nos. 26 and 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer, S. Rossman and B. H. Trask.

For Opposition: Gustave Goldman, Board of Education.

ACTION OF BOARD—Application for reopening withdrawn after argument.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

215-32-BZ.

APPLICANT—Louis de Riviere (lessee), for Betty Berk, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the superintendent of buildings) previously granted on condition, under section 7g of the zoning resolution, permitting in a residence use district, the maintenance of an open-air parking space for more than five (5) motor vehicles for a term of two (2) years.

PREMISES AFFECTED—670-674 Halsey street, south side, 125 ft. west of Patchen avenue (Block No. 1667, Lot No. 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frances Helfert.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (215-32-BZ)

WHEREAS, this application affecting premises 670-674 Halsey street, south side, 125 ft. west of Patchen avenue (Block No. 1667, Lot No. 35), Borough of Brooklyn, was granted by the Board July 22, 1932, on certain conditions, resolution amended July 7, 1936, permit extended July 6, 1938 and July 16, 1940, and applicant requests a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 22, 1932 as amended June 28, 1940 only in so far as it has reference to the term of the permit so that as amended this portion of the resolution shall read:

"the application be and it hereby is *granted*, under section 7f, to permit the use of the premises for open-air parking and storage of more than five (5) motor vehicles *for a term of two years* from the date of this amended resolution, *on condition* that the cars parked or stored on the premises shall be of the pleasure-car type only, prohibiting any trucks or taxicabs; that there shall be erected on the building line for the entire length where not occupied by the building a tight fence not less than 10 ft. in height with only one opening for exit and entrance of cars, said opening to be not over 12 ft. in width and equipped with a tight gate, to be kept closed at all times except when cars are entering or leaving the premises; that there shall be no gasoline stored on the premises other than in tanks of the cars stored thereon; that there shall be no motor vehicle repairing carried on; that all permits required shall be obtained and all work completed within three (3) months from the date of this amended resolution."

436-37-BZ.

APPLICANT—Herman Kron, for Chanler Estates, Incorporated, owner.

MINUTES

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—239-255 East Third street, north side, 90 ft. west of Avenue C (Block No. 386, Lot Nos. 45 to 51), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (436-37-BZ)

WHEREAS, Herman Kron, for Chanler Estate, Incorporated, owner, filed September 7, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 239-255 East Third street, north side, 90 ft. west of Avenue C (Block No. 386, Lot Nos. 45 to 51), Borough of Manhattan; and

WHEREAS, this application was granted by the Board June 1, 1938, on certain conditions, permit extended June 11, 1940 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of June 1, 1938 only in so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"Granted under section 7H thereof for a term of two years from the date of this amended resolution."

199-38-BZ.

APPLICANT—Jamatern Realty Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting for a temporary term of two (2) years, in a residence use district, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—Southeast corner of Van Wyck boulevard (137th street) and 85th avenue (Block No. 9647, Lot Nos. 1, 8, 16, 30 and 32), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Banton Moore.

ACTION OF BOARD—Application reopened, permit extended and resolution amended.

THE VOTE TO REOPEN, EXTEND PERMIT AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (199-38-BZ)

WHEREAS, this application under section 7f of the building zone resolution to permit, for a temporary period of not more than two (2) years, in a residence use district, the parking and storage of more than five (5) motor vehicles; premises southeast corner of Van Wyck boulevard (137th street) and 85th avenue (Block No. 9647, Lot Nos. 1, 8, 16, 30 and 32), Jamaica, Borough of Queens, was granted by the Board June 14, 1938, for a temporary period of two (2) years, on certain conditions, permit extended June 4, 1940; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of June 14, 1938 as amended June 4, 1940 only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"Granted under section 7H for a temporary term of two (2) years from the date of this amended resolution to permit. * * *

and the resolution is further amended by adding thereto: "that the transient parking herein permitted shall be confined to this lot only and shall not be extended to the adjacent premises."

1008-39-BZ.

APPLICANT—Herman Kron, for Rosebeck Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7a of the zoning resolution, permitting in a residence use district, the erection and maintenance of a business building (store).

PREMISES AFFECTED—1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1008-39-BZ)

WHEREAS, this application under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store), premises 1541-1543 Sheridan avenue, west side, 364.06 ft. north of East 172nd street, and 1526 Grand Concourse (Block No. 2821, Lot Nos. 11 and 65), Borough of The Bronx, was granted by the Board June 11, 1940, on certain conditions, time extended May 5, 1941 and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of June 11, 1940, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within two (2) years from the date of this amended resolution."

389-41-BZ.

APPLICANT—Charles Lee Koester, for Freda Habrich, owner (F. and M. Habrich, lessees).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the inclusion of a motor vehicle repair shop in a building occupied as a garage.

PREMISES AFFECTED—138-19 101st avenue, northwest corner of Sanders place (Block No. 10010, Lot No. 24), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Chas. Lee Koester.

ACTION OF BOARD—Application reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (389-41-BZ)

WHEREAS, Charles Lee Koester, for Freda Habrich, owner (F. and M. Habrich, lessees), filed May 1, 1941, an application under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the inclusion of a motor vehicle repair shop in a building occupied as a garage; premises 138-19 101st avenue, northwest corner of Sanders place (Block No. 10010, Lot No. 24), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board, December 2, 1941, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of December 2, 1941 by adding thereto:

"that the door to the spray booth shown on plans herein referred to as "Received May 1, 1941" may be omitted provided that in all other respects the requirements of the resolution adopted by the Board on December 2, 1941 are complied with."

390-41-BZ.

APPLICANT—Charles Lee Koester, for Freda Habrich and Edna M. Went, owners (F. and M. Habrich, lessees).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the use of the easterly portion of the premises with a frontage of 100 ft. to be occupied for the sale of used cars and that the proposed building is constructed and used solely throughout, except for the washing of cars, as an indoor showroom.

PREMISES AFFECTED—138-24 101st avenue, south side, 208.73 ft. east of Remington street (Block No. 10018, Lot Nos. 9 and 11), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Chas. Lee Koester.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (390-41-BZ)

WHEREAS, Charles Lee Koester, for Freda Habrich and Edna M. Went, owners (F. & M. Habrich, lessees), filed May 1, 1941, an application under section 21 of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop and garage for more than five (5) motor vehicles, and the extension of this building for use as a garage for more than five (5) motor vehicles and auto laundry, and also use of the remainder of the premises as a used car lot; premises 138-24 101st avenue, south side, 208.73 ft. east of Remington street (Block No. 10018, Lot Nos. 9 and 11), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board, January 20, 1942, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of January 20, 1942, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

445-42-A.

APPLICANT—Hotel Park View, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—208-210 West 56th street, south side, 122 ft. 7 in. east of Broadway (Block No. 1027, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles S. Port and David W. Benson.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Laid over to July 21, 1942, at 2 P. M. for applicant to submit amended statement.

1089-41-A.

APPLICANT—World Camera Exchange, for Intercounty Properties Corporation, owner (Angela Mousouris, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—550-554 Eighth avenue, east side, 40 ft. north of West 37th street and 265-267 West 37th street (Block No. 787, part of Lot No. 8 and Lot Nos. 1 to 10), Borough of Manhattan.

APPEARANCES—

For Applicant: B. S. Levine and E. Ellis.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

248-42-A.

APPLICANT—Leo D. Holzer, for Louis Carreau, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—149-151 East 34th street, north side, 250 ft. west of Third avenue (Block No. 890, Lot No. 34), Borough of Manhattan.

APPEARANCES—

For Applicant: L. Lawrence Bergstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, after argument, applicant to secure certificate of occupancy.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

254-42-A.

APPLICANT—Frank C. Keller, for Bavro Realty Company d/o/a Ace Lighting Fixture Company, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—171-06 Jamaica avenue, south side, 40.20 ft. west of 172nd street (Block No. 10212, Lot No. 17), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

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ACTION OF BOARD—Appeal withdrawn, after argument for decision from Building Supt.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

436-42-A.

APPLICANT—Nilsson Electrical Laboratory, Inc., for Drew University, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—103 Lafayette street and 99-101 Walker street, southeast corner (Block No. 197, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: H. T. Nilsson.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

171-42-A.

APPLICANT—George D. Scott, for Andrew A. Burkard, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—60-29 Catalpa avenue, north side, 169.10 ft. west of 60th lane (Block No. 3514, Lot No. 47), Ridgewood, Borough of Queens (under section 60, Multiple Dwelling Law).

APPEARANCES—

For Applicant: George D. Scott.

For Opposition: Marie Kaufman, Geo. V. Marick, A. Groh and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (171-42-A)

WHEREAS, George D. Scott, for Andrew A. Burkard, owner, filed on March 2, 1942 an appeal from a decision of the borough superintendent, affecting premises 60-29 Catalpa avenue, north side, 169.10 ft. west of 60th lane (Block No. 3514, Lot No. 47), Ridgewood, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated February 9, 1942 on Miscellaneous Applic. No. 395-42 reads:

"1—The installation of a sprinkler system in a garage as required under Sec. 60 of the Multiple Dwelling Law, shall comply in all respects to the provisions of C26-1336-0 Administrative Code of the City of New York."

and

WHEREAS, the applicant states that the building is three stories (41 ft.) in height, 79 ft. 10 in. by 75 ft. 11 in. in area, of Class Three construction, located in a business district, proposed to be erected under New Building 391-41 and occupied as follows: cellar, accessory garages for eight (8) cars and boiler room; 1st, 2nd and 3rd floors, Class A, multiple dwelling, five families each floor; and

WHEREAS, the applicant contends that it is proposed to connect the wet automatic sprinkler system in the garage portion of the basement to the domestic water supply which will be not less than 2 in. and to feed 37 heads from this supply. It is also proposed to omit the Siamese connec-

tion and the alarm valve and the water motor gong. The connection to the domestic main will be provided with one 2 in. O.S.Y. valve and one 2 in. check valve; that the omission of the Siamese is requested, as the garage will have a ramp leading directly from the street and access can be had through a door leading to the rear yard; that it is impossible to secure the alarm valve and water motor gong due to National Defense Priorities, and that the proposal to connect 37 heads to the 3 in. cross main will only exceed by one, the cross allowance of 36 heads on 3 in. main; that the garage portion of the building will be of fireproof construction and will have no connection to any other part of the building; that the sprinkler system, when installed, will be at approximately the same level as the 8 in. street main; and

WHEREAS, due notice of the hearing held on this application by the Board July 14, 1942 has been had by publication in the Bulletin of the Board and by notices sent by registered mail by the applicant at the direction of the Board as required by Section 60 of the Multiple Dwelling Law.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 395-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the garage and the sprinkler system therein shall comply with all laws, rules and regulations applicable thereto; that the street main shall not be less than 8 in. in diameter and the tap therefrom not less than 2 in. and the cross main and header not less than 3 in. with the usual reduction in size in accordance with the Code, substantially as shown on plans marked "Received March 2, 1942"; that the only required equipment which may be otherwise omitted is the alarm valve, water motor gong and the siamese connection at the street line.

456-42-A.

APPLICANT—Irving M. Fenichel, for Celia and Julia Motzkin, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—307-313 Kingsland avenue, west side, 135 ft. south of Norman avenue (Block No. 2657, Lot No. 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Fenichel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (466-42-A)

WHEREAS, Irving M. Fenichel, for Celia and Julia Motzkin, owners, filed on June 11, 1942, an appeal from a decision of the borough superintendent affecting premises: 307-313 Kingsland avenue west side, 135 ft. south of Norman avenue (Block No. 2657, Lot No. 13), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated June 2, 1942 on Alt. Applic. No. 5579-41 reads:

"1. Proposal to install two 1000 gal. auxiliary solvent storage tanks instead of one 1475 gal. solvent storage tank is contrary to original approval of a Vorclone-Allison system as approved by the Bd. of Hazards (594-29).

Refer proposal to the Bd. of Standards and Appeals for any variation."

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WHEREAS, the applicant states that the building is one story (25 ft.) in height, 85 ft. by 53 ft. in area, of class 3 construction, erected prior to 1906 on a lot 85 ft. by 100 ft. in area located in an unrestricted use district and used as a dye house with an occupancy of 5 persons and proposed to be used as a technical establishment with an occupancy of 5 persons; and

WHEREAS, it is proposed to install two 1,000 gallon horizontal underground tanks for storing of combustible cleaning solvent in connection with the technical establishment located on the premises; and

WHEREAS, the applicant contends that the proposed tanks will comply in every respect with the tank specifications outlined in the Vorclone-Allison approval except that the tanks will not be equipped with cone bottoms and will be installed horizontally in lieu of vertically; that it is difficult at the present time to obtain steel tanks and it is impossible to obtain the specially built tanks of the type approved in connection with the Vorclone-Allison system; that the owners have, however, been successful in obtaining the two tanks which it is proposed to install which are of stock design and approved by the New York City departments having jurisdiction; that the tanks will be installed in accordance with Fire Department regulations two feet below the level of the floor and protected with 12 in. of concrete; that while the approval of the Vorclone-Allison system permits the storage of volatile and inflammable liquids having a flashpoint below 100° F., the plant in question will store only combustible solvent having a flashpoint in excess of 100° F.; that the proposed tanks will be constructed of the same thickness and fabricated as required for vertical tanks and will withstand the same pressure tests as prescribed for such vertical tanks; that the required storage facilities are indispensable to the efficient conduct of the plant; that the Vorclone-Allison approval by the Board of Hazardous Trades under 594-29 permits the installation of six underground cone bottom vertical tanks, five of which are 1475 gallons capacity each and one 1,000 gallon capacity; that there are now existing on the premises four 1475 gallon tanks and one 1,000 gallon tank which have been inspected and accepted by the Fire Department; that if the Board permits the installation of two 1,000 gallon tanks now proposed, the total capacity for storage will be 8,900 gallons which is 525 gallons in excess of the total capacity permitted under the Vorclone-Allison system approval.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 5579-41, Obj. No. 1, and F. P. Applic. No. 8980-41 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no additional tanks shall be installed other than the two 1,000 gal. tanks under the deterring room in lieu of the one 1,475 gal. tank, previously shown and in addition to a total of five other tanks now installed; that in all other respects the installation shall comply with the requirements for the system as approved in the general approval by the fire commissioner under date of May 29, 1929, as recorded in Combustible Folder No. 4080.11; that all existing tanks shall be tested to meet the approval of the fire commissioner.

506-42-A.

APPLICANT—Alexander D. Crosett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area, bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Buildings

Nos. 40, 41, 48, 1R, 16, 30, 44, 66, 36 and Gate House, Maspeth, Borough of Queens (under section 35, General City Law—re bed of mapped streets).

(Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155.

Block No. 2257, Lot Nos. 2, 16, 31,

Block No. 2235, Lot Nos. 1, 225, 300, 330,

Block No. 2236, Lot Nos. 70, 75, 30,

Block No. 2583, Lot Nos. 1, 50,

Block No. 2589, Lot No. 1,

Block No. 2590, Lot No. 1,

Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34,

Block No. 2595, Lot No. 1,

Block No. 2596, Lot No. 1-pt.,

Block No. 2600, Lot Nos. 1, 45,

Block No. 2601, Lot Nos. 1, 21, 23, 34, 40, 44, 50,

Block No. 2602, Lot Nos. 1, 37, 40, 44

Block Nos. 2603, 2604, 2605, 2606, Lot No. 1).

APPEARANCES—

For Applicant: C. Lindstrom, C. J. Sheehan and Geo. K. Liggett.

For Administration: Fred Dahlem and Charles M. McWilliams, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (506-42-A)

WHEREAS, Alexander D. Crosett, for the Aluminum Company of America, as agent for the Defense Plant Corporation, owner, filed on June 24, 1942, an application for the erection of buildings in the bed of mapped streets, 47th, 48th, 49th, 50th, 51st, 52nd, 53d, 54th streets, Maspeth avenue, 49th street, 49th place, 50th street and 57th avenue, affecting premises bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek, and known as No. 47-19 Grand avenue (Block Nos. 2257, Lots 2, 16, 31; 2256, lots 60, 61, 63, 150, 153 and 155; block 2235, lots 1, 225, 300 and 330; block 2236, Lots 70, 75 and 30; block 2588, Lots 1 and 50; block 2589, Lot No. 1; Block 2590, Lot 1; Block 2591, Lots 1 and 34; Block 2592, Lots 1 and 34; Block 2593, Lots 1 and 34; Block 2594, Lots 1 and 34; Block 2595, Lot 1; Block 2596, Part of Lot 1; Block 2600, Lots 1 and 45; Block 2601, Lots 1, 21, 28, 34, 40, 44 and 50; Block 2602, Lots 1, 37, 40 and 44; Block 2603, Lot 1, Block 2604, Lot 1, Block 2605, Lot 1 and 2606, Lot 1), Maspeth, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. Applic. 840-42, 848-55 of 1942 and 872-42, inclusive, dated June 24, 1942, read:

"1. Building appears to be in bed of mapped streets. Secure approval of Board of Standards and Appeals as per section 35 article 3 of the General City Laws."

2. Building appears to be in bed of mapped street, secure approval of Board of Standards and Appeals as per article 3 section 35 of General City Laws."

and

WHEREAS, the premises consist of a plot fronting approximately 1200 ft. on the north side of Grand avenue with a depth of approximately 3,000 ft., irregular therefrom, upon which it is proposed to erect a series of one and two story buildings of Classes 1, 4 and 5 construction, as shown on Drawing A 6250-A1, filed with this application marked "Received June 25, 1942," to be used as pot room buildings, carbon rodding buildings, pot lining building, metal service building, gatehouse building, office building, rectifier stations, wash room, laboratory building, ore loading building, boiler-room and machine shop in connection with the operation of the entire premises for the manufacture of aluminum; and

WHEREAS, the applicant contends that the President of the Borough of Queens has prepared an amendment to the Final City Map eliminating the streets in question from such Final Map. This amendment to the Final Map has been forwarded to the Board of Estimate and referred to

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the City Planning Commission for action. The time which must necessarily be consumed by the Board of Estimate and the City Planning Commission in acting on the proposed amendment to the Final Map will seriously interfere with the proposed construction and cause delays, which would be contrary to the interest of National Defense. The proposed Plant is being constructed by the Aluminum Corporation of America as Agent of the Defense Plant Corporation and it is vitally essential that the application herein submitted to the Board be acted upon expeditiously, so that construction permits may be issued by the Borough Superintendent of the Department of Housing and Buildings pursuant to Section 35 of the General City Law, without the necessity of waiting for the action of the Board of Estimate and the City Planning Commission. As Section 35 of the General City Law provides that the Board can only grant on conditions which will inure to the benefit of the city, it is proposed in cooperation with the Borough President, that the owners will construct new streets and sewers, as shown on Drawing No. A 6250-A1, filed with this appeal. All the necessary arrangements have been made with the War Department for the construction of a new bulkhead and the establishment of a new bulkhead line and for the filling of Maspeth creek, so that the project may extend north to 56th road, as indicated on the diagram filed with this appeal.

Resolved, that the decision of the borough superintendent on N.B. Applic. No. 840-42, 848 to 855 of 1942, inclusive, and 872-42 be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers granted the Board under Section 35 of the General City Law to permit the erection of the buildings within the bed of the mapped streets *on condition* that the owner shall dedicate to the City the bed of proposed 47th street from Grand avenue to Maspeth avenue for a width of 70 ft., 49th street, also known as Munich street, from 56th road, as mapped, to Maspeth creek for a width of 53 ft. and Page place from Maspeth avenue to Grand avenue for a width of 70 ft., to construct a sewer in 47th street for the full length, and to construct such sewer and surface the streets in accordance with the requirements of the standards of the Borough President's Office; that in addition an area 20 ft. in width for the full frontage of the property along Grand avenue shall be dedicated to the City for the purpose of street widening of Grand avenue, all as set forth in detail in a memorandum dated April 14, 1942 filed herewith and as shown on plan marked "A6250-A1" filed with this appeal, and *on further condition* that the streets, as proposed to be removed from the City Map and the new streets to be established including the widening of Grand avenue, all now before the City Planning Commission, will be approved by the Planning Commission and the Board of Estimate within one (1) year's time, as shown on map prepared by the President of the Borough of Queens and submitted to the City Planning Commission, Map No. 2938, dated May 8, 1942.

15-42-A.

APPLICANT—Alexander D. Crosett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, 56th road, Page place, Maspeth Creek and Newtown Creek, Maspeth, Borough of Queens.

(Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2595, Lot No. 1, Block No. 2596, Lot No. 1-pt., Block No. 2600, Lot Nos. 1, 45,

Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50, Block No. 2602, Lot Nos. 1, 37, 40, 44, Block Nos. 2603, 2604, 2605, 2606, Lot No. 1).

APPEARANCES—

For Applicant: C. Lindstrom, C. J. Sheehan and Geo. K. Liggett.

For Administration: Fred Dahlem and Chas. M. McWilliams, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (515-42-A)

WHEREAS, Alexander D. Crosett, for Aluminum Co. of America, as agent, for Defense Plant Corporation, owner, filed on June 29, 1942 an appeal from a decision of the borough superintendent affecting premises 47-19 Grand avenue, entire premises bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot No. 2, 16, 31, Block No. 2256, Lot No. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot No. 1, 225, 300, 330, Block No. 2236, Lot No. 70, 75 and 30, Block No. 2588, Lot No. 1, and 50, Block No. 2589, Lot No. 1, Block No. 2590, Lot No. 1, Block No. 2591, Lot No. 1 and 34, Block No. 2592, Lot No. 1 and 34, Block No. 2593, Lot No. 1 and 34, Block No. 2594, Lot No. 1 and 34, Block No. 2595, Lot No. 1, Block No. 2596, Part of Lot No. 1, Block No. 2600, Lot No. 1 and 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, and 50, Block No. 2602, Lot Nos. 1, 37, 40 and 44, Block No. 2603, Lot No. 1, Block 2604, Lot No. 1, Block No. 2605, Lot No. 1 and Block 2606, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 24, 1942 on N. B. Applic. No. 840-42 reads:

"2. Area of building is in excess of that permitted for Class 5 construction, section 4.2.1 of Building Code."

and

WHEREAS, the building will be 1 story (35 ft.) average in height, 2099.66 ft. by 818.5 ft. in area, of Class 5 construction, located in an unrestricted use district, occupied as pot room building, carbon rodding building, pot lining building and metal service building, in conjunction with a plant for the manufacture of aluminum to be located on the premises; and

WHEREAS, the applicant contends that this series of buildings to be used as an Aluminum Plant are of special construction adopted by the Aluminum Co. of America, which have been used successfully all over the country under all kinds of conditions, and has been carefully designed and standardized for their system of operation; that these units and areas occupied by them are of minimum size necessary for the efficient operation of the plant; that the amount and type of steel have been released by the War Production Board and priority orders have been issued especially for this job and any change would seriously delay progress. The proposed buildings and land are owned by the Defense Plant Corporation which is an agency of the Federal Government; that this type of construction has been accepted by the Defense Plant Corporation because of its economy, simplicity and speed of erection; that any delay which might occur from the use of other types of construction would be contrary to the interest of National Defense; and

WHEREAS, an examination of N. B. Applic. No. 840-42 filed with the borough superintendent indicates that the building will be surfaced on the exterior with 20 gauge asbestos protected metal siding.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 840-42, Obj. No. 2, be and it hereby

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is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance is granted to permit the continuance and use of the building only during the period of the present war emergency and for one (1) year thereafter.

516-42-A.

APPLICANT—Alexander D. Crosett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, 56th road, Page place, Maspeth Creek and Newtown Creek, Maspeth, Borough of Queens.

(Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block No. 2589, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2590, Lot No. 1, Block No. 2595, Lot No. 1, Block No. 2596, Lot No. 1-pt., Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50, Block No. 2602, Lot Nos. 1, 37, 40, 44, Block No. 2603, 2604, 2605 and 2606, Lot No. 1), (Office Building No. 40).

APPEARANCES—

For Applicant: C. Lindstrom, C. J. Sheehan and Geo. K. Liggett.

For Administration: Fred Dahlem and Charles M. McWilliams, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (516-42-A)

WHEREAS, Alexander D. Crosett, for Aluminum Co. of America, as agent, for Defense Plant Corporation, owner, filed on June 29, 1942 an appeal from a decision of the borough superintendent affecting premises 47-19 Grand avenue, entire premises bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot No. 2, 16, 31, Block No. 2256, Lot No. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot No. 1, 225, 300, 330, Block No. 2236, Lot No. 70, 75 and 30, Block No. 2588, Lot No. 1, and 50, Block No. 2589, Lot No. 1, Block No. 2590, Lot No. 1, Block No. 2591, Lot No. 1 and 34, Block No. 2592, Lot No. 1 and 34, Block No. 2593, Lot No. 1 and 34, Block No. 2594, Lot No. 1 and 34, Block No. 2595, Lot No. 1, Block No. 2596, Part of Lot No. 1, Block No. 2600, Lot No. 1 and 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, and 50, Block No. 2602, Lot Nos. 1, 37, 40 and 44, Block No. 2603, Lot No. 1, Block No. 2694, Lot No. 1, Block No. 2605, Lot No. 1 and Block 2606, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N. B. Applic. No. 848-42, dated June 24, 1942, reads:

"2. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the building code.

4. 2" beams not permitted within fire limits, Section 7.1.4.

5. Bearing partitions contrary to Section 8.7.1.1.

12b. Doors required to be fireproof when serving as exit.

12c. Stair enclosure required to be 2 hour rating as this building should be Class 3 construction Section 6.4.1.8.1.

12d. Stairs required to be of incombustible material, Section 6-4.1.7.1.

12e. Stair required to go to roof, Section 6.4.1.11.

14. Inspectors report indicates that ground is deep fill, provide proper foundation for support of super structure."

and

WHEREAS, the applicant states that the building will be two stories (24 ft.) in height; 134 ft. by 40 ft. in area; of Class 4 construction; equipped with a sprinkler system; located in an unrestricted use district and occupied, offices, first floor, 50 persons; second floor, 48 persons; and

WHEREAS, the applicant contends that this office building is to be used in connection with the Aluminum plant by the Aluminum Company of America as a temporary structure for the duration of the war. This building is already completed. The office building was constructed by the Aluminum Company of America for the Defense Plant Corporation which is an agency of the Federal Government. It is vitally essential toward National Defense that this building remain untouched for the duration of the war. The bearing value of the soil is assumed at 1500 lbs. per sq. ft. A letter from the Aluminum Company of America assuming responsibility for any deterioration that may take place in this building is on file with the Department of Housing and Buildings.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 848-42 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall be constructed and occupied substantially for the purposes as set forth; that this variance shall continue only during the period of the present war emergency and for one (1) year thereafter; that the building throughout shall be occupied for office purposes only with no loading in excess of 40 lbs. per superficial foot; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner.

517-42-A.

APPLICANT—Alexander D. Crosett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, 56th road, Page place, Maspeth Creek and Newtown Creek, Maspeth, Borough of Queens.

(Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block No. 2589, Lot No. 1, Block No. 2590, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2595, Lot No. 1, Block No. 2596, Lot No. 1-pt., Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50, Block No. 2602, Lot Nos. 1, 37, 40, 44, Block No. 2603, 2604, 2605, 2606, Lot No. 1), (Laboratory Building, No. 41).

APPEARANCES—

For Applicant: C. Lindstrom, C. J. Sheehan and Geo. K. Liggett.

For Administration: Fred Dahlem and Charles M. McWilliams, Dep't of Housing and Buildings.

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ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (517-42-A)

WHEREAS, Alexander D. Crosett, for Aluminum Co. of America, as agent, for Defense Plant Corporation, owner, filed on June 29, 1942 an appeal from a decision of the borough superintendent affecting premises 47-19 Grand avenue, entire premises bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot No. 2, 16, 31, Block No. 2256, Lot No. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot No. 1, 225, 300, 330, Block No. 2236, Lot No. 70, 75 and 30, Block No. 2588, Lot No. 1, and 50, Block No. 2589, Lot No. 1, Block No. 2590, Lot No. 1, Block No. 2591, Lot No. 1 and 34, Block No. 2592, Lot No. 1 and 34, Block No. 2593, Lot No. 1 and 34, Block No. 2594, Lot No. 1 and 34, Block No. 2595, Lot No. 1, Block No. 2596, Part of Lot No. 1, Block No. 2600, Lot No. 1 and 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, and 50, Block No. 2602, Lot Nos. 1, 37, 40 and 44, Block No. 2603, Lot No. 1, Block 26094, Lot No. 1, Block No. 2605, Lot No. 1 and Block 2606, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 24, 1942, on N. B. Applic. No. 849-42, reads:

"2. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and
WHEREAS, the applicant states that the building will be one story (12 ft.) in height; 145 ft. by 45 ft. in area; of Class 4 construction, equipped with a sprinkler system; located in an unrestricted use district; and used as a laboratory building; and

WHEREAS, the applicant contends that this proposed frame laboratory building is to remain only for the duration of the war; that the possible delay from using other types of construction at this time, along with the fact that the War Production Board would not permit the use of steel and other materials more vital to National Defense than the proposed wood, makes it necessary to use frame construction for this building to be used in connection with the proposed Aluminum plant.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 849-42, Obj. No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall be constructed and occupied substantially as proposed; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that this variance shall continue only during the term of the present war emergency and for one (1) year thereafter.

518-42-A.

APPLICANT—Alexander D. Crosett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek, Maspeth, Borough of Queens.

(Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155,
Block No. 2257, Lot Nos. 2, 16, 31,
Block No. 2235, Lot Nos. 1, 225, 300, 330,
Block No. 2236, Lot Nos. 70, 75, 30,
Block No. 2588, Lot Nos. 1, 50,
Block No. 2589, 2590, Lot No. 1,
Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34,
Block No. 2595, Lot No. 1,
Block No. 2596, Lot No. 1-pt.,
Block No. 2600, Lot Nos. 1, 45,

Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50,
Block No. 2602, Lot Nos. 1, 37, 40, 44,
Block Nos. 2603, 2604, 2605, 2606, Lot No. 1),
(Wash Room Building, No. 48).

APPEARANCES—

For Applicant: C. Lindstrom, C. J. Sheehan and
Geo. K. Liggett.

For Administration: Fred Dahlem and Charles M.
McWilliams, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (518-42-A)

WHEREAS, Alexander D. Crosett, for Aluminum Co. of America, as agent, for Defense Plant Corporation, owner, filed on June 29, 1942 an appeal from a decision of the borough superintendent affecting premises 47-19 Grand avenue, entire premises bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot No. 2, 16, 31, Block No. 2256, Lot No. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot No. 1, 225, 300, 330, Block No. 2236, Lot No. 70, 75 and 30, Block No. 2588, Lot No. 1, and 50, Block No. 2589, Lot No. 1, Block No. 2590, Lot No. 1, Block No. 2591, Lot No. 1 and 34, Block No. 2592, Lot No. 1 and 34, Block No. 2593, Lot No. 1 and 34, Block No. 2594, Lot No. 1 and 34, Block No. 2595, Lot No. 1, Block No. 2596, Part of Lot No. 1, Block No. 2600, Lot No. 1 and 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, and 50, Block No. 2602, Lot Nos. 1, 37, 40 and 44, Block No. 2603, Lot No. 1, Block 26094, Lot No. 1, Block No. 2605, Lot No. 1 and Block 2606, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, on N. B. Applic. No. 850-42, dated June 24, 1942, reads:

"2. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the applicant states that the building will be one story (18 ft.) in height; 380 ft. by 58 ft. in area; of Class 4 construction; equipped with a sprinkler system; located in an unrestricted use district and occupied as a washroom building; and

WHEREAS, the applicant contends that it is proposed to erect a temporary frame wash room building which is to remain only for the duration of the war. This building is to be used by employees only and not to be used for manufacturing. In order to save time and essential materials necessary to the interest of National Defense, frame construction is proposed. The difficulty in obtaining steel, which could be put to better use elsewhere in the Defense program, has compelled the Defense Plant Corporation to use frame construction. This building is to be used in connection with the Aluminum Plant to be operated by the Aluminum Company of America.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 850-42, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall be constructed and occupied substantially as proposed; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that this variance shall continue only during the term of the present war emergency and for one (1) year thereafter.

519-42-A.

APPLICANT—Alexander D. Crosett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

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SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek, Maspeth, Borough of Queens.

(Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155,
Block No. 2257, Lot Nos. 2, 16, 31,
Block No. 2235, Lot Nos. 1, 225, 300, 330,
Block No. 2236, Lot Nos. 70, 75, 30,
Block No. 2588, Lot Nos. 1, 50,
Block No. 2589, Lot No. 1
Block No. 2590, Lot No. 1,
Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34,
Block No. 2595, Lot No. 1,
Block No. 2596, Lot No. 1-pt.,
Block No. 2600, Lot Nos. 1, 45,
Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50,
Block No. 2602, Lot Nos. 1, 37, 40, 44,
Block Nos. 2603, 2604, 2605, 2606, Lot No. 1)
(2 Rectifier Stations, 1R and No. 16).

APPEARANCES—

For Applicant: C. Lindstrom, C. J. Sheehan and
Geo. K. Liggett.

For Administration: Fred Dahlem and Charles M.
McWilliams, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (519-42-A)

WHEREAS, Alexander D. Crosett, for Aluminum Co. of America, as agent, for Defense Plant Corporation, owner, filed on June 29, 1942 an appeal from a decision of the borough superintendent affecting premises 47-19 Grand avenue, entire premises bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot No. 2, 16, 31, Block No. 2256, Lot No. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot No. 1, 225, 300, 330, Block No. 2236, Lot No. 70, 75 and 30, Block No. 2588, Lot No. 1, and 50, Block No. 2589, Lot No. 1, Block No. 2590, Lot No. 1, Block No. 2591, Lot No. 1 and 34, Block No. 2592, Lot No. 1 and 34, Block No. 2593, Lot No. 1 and 34, Block No. 2594, Lot No. 1 and 34, Block No. 2595, Lot No. 1, Block No. 2596, Part of Lot No. 1, Block No. 2600, Lot No. 1 and 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, and 50, Block No. 2602, Lot Nos. 1, 37, 40 and 44, Block No. 2603, Lot No. 1, Block 26094, Lot No. 1, Block No. 2605, Lot No. 1 and Block 2606, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N. B. Applic. No. 851-42, dated June 24, 1942, reads:

"2. Provide standpipe as per section 16 of building code."

and
WHEREAS, the applicant states that the two buildings in question will each be two stories (63 ft. 2 in.) in height; 720 ft. by 32 ft. in area; of Class 1 construction; located in an unrestricted use district and each occupied as a rectifier station; and

WHEREAS, the applicant contends that the operation and maintenance of these rectifier stations especially designed for aluminum production are such that the use of water to extinguish fire would be extremely hazardous to life and property. The Aluminum Company of America, as agent for the Defense Plant Corporation will, because of the high currents and voltages involved, provide such means of fire prevention as they believe are best suited for the conservation of life and property.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 851-42, Obj. No. 2, be and it hereby is modified and that the appeal be and it hereby is granted on

condition that the building shall not be increased in height or area and shall be constructed and used substantially as proposed, and in lieu of the requirement for a standpipe system shall be equipped with such system for fire prevention as may be acceptable to the fire commisioner.

520-42-A.

APPLICANT—Alexander D. Crosett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek, Maspeth, Borough of Queens.

(Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155,
Block No. 2257, Lot Nos. 2, 16, 31,
Block No. 2235, Lot Nos. 1, 225, 300, 330,
Block No. 2236, Lot Nos. 70, 75, 30,
Block No. 2588, Lot Nos. 1, 50,
Block No. 2589, Lot No. 1,
Block Nos. 2591, 2592, 2593 and 2594, Lot Nos. 1
and 34,
Block No. 2590, Lot No. 1,
Block No. 2595, Lot No. 1,
Block No. 2596, Lot No. 1-pt.,
Block No. 2600, Lot Nos. 1, 45,
Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50,
Block No. 2602, Lot Nos. 1, 37, 40, 44,
Block Nos. 2603, 2604, 2605 and 2606, Lot No. 1)
(Transformer Service Building No. 30).

APPEARANCES—

For Applicant: C. Lindstrom, C. J. Sheehan and
Geo. K. Liggett.

For Administration: Fred Dahlem and Chas. M.
McWilliams, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (520-42-A)

WHEREAS, Alexander D. Crosett, for Aluminum Co. of America, as agent, for Defense Plant Corporation, owner, filed on June 29, 1942 an appeal from a decision of the borough superintendent affecting premises 47-19 Grand avenue, entire premises bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot No. 2, 16, 31, Block No. 2256, Lot No. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot No. 1, 225, 300, 330, Block No. 2236, Lot No. 70, 75 and 30, Block No. 2588, Lot No. 1, and 50, Block No. 2589, Lot No. 1, Block No. 2590, Lot No. 1, Block No. 2591, Lot No. 1 and 34, Block No. 2592, Lot No. 1 and 34, Block No. 2593, Lot No. 1 and 34, Block No. 2594, Lot No. 1 and 34, Block No. 2595, Lot No. 1, Block No. 2596, Part of Lot No. 1, Block No. 2600, Lot No. 1 and 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, and 50, Block No. 2602, Lot Nos. 1, 37, 40 and 44, Block No. 2603, Lot No. 1, Block 26094, Lot No. 1, Block No. 2605, Lot No. 1 and Block 2606, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated June 24, 1942, on N. B. Applic. No. 852-42, reads:

"2. Proposed building is in excess of 15 ft. in height contrary to Section 4.2.1. for Class 5 buildings."

and
WHEREAS, the applicant states that the building will be one story (61 ft.) in height, 80 ft. by 40 ft. in area; of Class 5 construction; located in an unrestricted use district and used as a transformer service building; and

WHEREAS, the applicant contends that the proposed transformer service building is to be used in connection with the aluminum plant and is of special construction adopted by the

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Aluminum Company of America. This building has been built and used successfully all over the country under all kinds of conditions and has been carefully designed and standardized for their system of operations. The unit is of minimum size necessary for the efficient operation and maintenance of the transformers. Any other size and type of building would create an undue hardship on the Aluminum Company of America acting as agents for the Defense Plant Corporation.

Resolved, that the decision of the borough superintendent on N.B. Applic. No. 852-42, Obj. No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be over 1 story in height and shall not exceed 61 ft. as proposed; that the building in all other respects shall comply with all laws, rules and regulations applicable thereto; that this variance shall continue only during the present war emergency and for one (1) year thereafter.

521-42-A.

APPLICANT—Alexander D. Crossett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek, Maspeth, Borough of Queens.

(Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block No. 2589, Lot No. 1, 50, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2590, Lot No. 1, Block No. 2595, Lot No. 1, Block No. 2596, Lot No. 1-pt., Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50, Block No. 2602, Lot Nos. 1, 37, 40, 44, Block Nos. 2603, 2604, 2605 and 2606, Lot No. 1), (Machine Shop Building, No. 44).

APPEARANCES—

For Applicant: C. Lindstrom, C. J. Sheehan and Geo. K. Liggett.

For Administration: Fred Dahlem and Chas. M. McWilliams, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (521-42-A)

WHEREAS, Alexander D. Crossett, for Aluminum Co. of America, as agent, for Defense Plant Corporation, owner, filed on June 29, 1942 an appeal from a decision of the borough superintendent affecting premises 47-19 Grand avenue, entire premises bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot No. 2, 16, 31, Block No. 2256, Lot No. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot No. 1, 225, 300, 330, Block No. 2236, Lot No. 70, 75 and 30, Block No. 2588, Lot No. 1, and 50, Block No. 2589, Lot No. 1, Block No. 2590, Lot No. 1, Block No. 2591, Lot No. 1 and 34, Block No. 2592, Lot No. 1 and 34, Block No. 2593, Lot No. 1 and 34, Block No. 2594, Lot No. 1 and 34, Block No. 2595, Lot No. 1, Block No. 2596, Part of Lot No. 1, Block No. 2600, Lot No. 1 and 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, and 50, Block No. 2602, Lot Nos. 1, 37, 40 and 44, Block No. 2603, Lot No. 1, Block 26094, Lot No. 1, Block No. 2605, Lot No. 1 and Block 2606, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 853-42, dated June 24, 1942, reads:

"2. Building is in excess of height and area permitted for Class 5 construction, Section 4.2.1 of Building Code."

and

WHEREAS, the applicant states that the building will be one story (31 ft.) in height; 420 ft. by 90 ft. in area; of Class 5 construction; equipped with a standpipe system; located in an unrestricted use district; and used as machine shop; and

WHEREAS, the applicant contends that the proposed machine shop building is to be used in connection with the aluminum plant and is of special construction adopted by the Aluminum Company of America. This type of building has been built and operated successfully all over the country under all kinds of conditions and has been carefully designed and standardized for their system of operation. The unit is of minimum size necessary for the efficient operations and maintenance as a machine shop. Any other size and type of building would create an undue hardship on the Aluminum Company of America, acting as an agent for the Defense Plant Corporation.

Resolved, that the decision of the borough superintendent on N.B. Applic. No. 853-42, Obj. No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area beyond the dimensions as stated; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, for the use as proposed; that this variance shall continue only during the term of the present war emergency and for one (1) year thereafter.

522-42-A.

APPLICANT—Alexander D. Crosett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek, Maspeth, Borough of Queens.

(Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2595, Lot No. 1, Block No. 2596, Lot No. 1-pt., Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50, Block No. 2602, Lot Nos. 1, 37, 40, 44, Block Nos. 2603, 2604, 2605, 2606, Lot No. 1), (Gate House Building).

APPEARANCES—

For Applicant: C. Lindstrom, C. J. Sheehan and Geo. K. Liggett.

For Administration: Fred Dahlem and Chas. M. McWilliams, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (522-42-A)

WHEREAS, Alexander D. Crossett, for Aluminum Co. of America, as agent, for Defense Plant Corporation, owner, filed on June 29, 1942 an appeal from a decision of the borough superintendent affecting premises 47-19 Grand avenue, entire premises bounded by Grand avenue, Page place,

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56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot No. 2, 16, 31, Block No. 2256, Lot No. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot No. 1, 225, 300, 330, Block No. 2236, Lot No. 70, 75 and 30, Block No. 2588, Lot No. 1, and 50, Block No. 2589, Lot No. 1, Block No. 2590, Lot No. 1, Block No. 2591, Lot No. 1 and 34, Block No. 2592, Lot No. 1 and 34, Block No. 2593, Lot No. 1 and 34, Block No. 2594, Lot No. 1 and 34, Block No. 2595, Lot No. 1, Block No. 2596, Part of Lot No. 1, Block No. 2600, Lot No. 1 and 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, and 50, Block No. 2602, Lot Nos. 1, 37, 40 and 44, Block No. 2603, Lot No. 1, Block 26094, Lot No. 1, Block No. 2605, Lot No. 1 and Block 2606, Lot No. 1), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 874-42, dated June 24, 1942, reads:

"3. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the building Code.

4. Provide adequate foundation for filled ground."

and
WHEREAS, the applicant states that the building will be one story (11 ft. 6 in.) in height; 38 ft. by 25 ft. 6 in. in area; of Class 4 construction; located in an unrestricted use district and occupied as a gate house; and

WHEREAS, the applicant contends it is proposed to erect a temporary frame gate house building to remain only for the duration of the war. This building to be used by employees only and is not to be used for manufacturing. The War Production Board will not permit the use of steel and concrete for this temporary building. This building to be used in connection with the Aluminum Plant and to be operated by the Aluminum Company of America. As time is essential to the interest of National Defense frame construction is desirable because of its speed of erection. The bearing value of the soil is assumed at 1500 lbs. per sq. ft. A letter from the Aluminum Company assuming responsibility for any deterioration that may take place in this building is on file with the Department of Housing and Buildings.

Resolved, that the decision of the borough superintendent on N.B. Applic. No. 874-42, Obj. Nos. 3 and 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall be occupied substantially as proposed; that this variance shall continue only during the term of the present war emergency and for one (1) year thereafter; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

538-42-A.

APPLICANT—R. G. and W. M. Cory, for Frank G. Shattuck Company, owner (Wallace and Company, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—460-466 Smith street and 202-218 Huntington street, southwest corner (Block No. 476, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Theodore Barbato and Walter M. Cory.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (538-42-A)

WHEREAS, R. G. and W. M. Cory, for Frank G. Shattuck Co., owner, filed July 6, 1942, an appeal from a decision of the borough superintendent, premises 460-466 Smith street and 202-218 Huntington street, southwest corner (Block No. 476, Lot No. 19), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 26, 1942, re Alt. Applic. No. 1081-42, reads:

"1. Method for substituting of Col. capitals in flat slab construction does not agree with B. S. & A. Approval."

and

WHEREAS, the applicant states that the building is 3 stories (48 ft. 4 in.) in height, 94 ft. 6 in. by 185 ft. 6 in. in area; of Class 1 construction; equipped with a sprinkler system; located in an unrestricted district; erected in 1917 and occupied for the manufacture of candy, 35 persons on the 1st floor, 200 on the 2nd floor and 50 on the 3rd floor, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that this is an alteration job involving the construction of a mezzanine floor in portion of first story around existing columns, which makes it impossible to use the H stubs in connection with the steel grillages, in lieu of which it is intended to use 1 in. square anchor bars at the intersecting members of the grillages to anchor same to the new 6 in. reinforced concrete shells around the existing round columns. The grillages are designed in accordance with the Board of Standards and Appeals approval with exception of the H anchorage as above mentioned. Calculations and details of grillages have been filed with the Dept. of Buildings; and

WHEREAS, from an examination of alteration application 1081-42, filed with the borough superintendent, it appears that it is proposed to install a reinforced concrete flat slab (smooth ceiling system) on the mezzanine floor over portion of 1st floor, new mezzanine to have 120 lbs. live load for storage purposes. New floor to be supported on 6 in. concrete spirally reinforced jacket around the existing columns except where additional columns will be required, such additional columns to be supported on new pile footings. It is also proposed to construct numerous hollow tile partitions, some with cork insulation set in cement mortar and to provide new door on Huntington street front and supports for tanks on roof; and

WHEREAS, the Board deemed that the proposed construction wherein the column capital and drop panel are eliminated is consistent with the Wheeler system, as approved for general use by the Board under Cal. No. 841-40-SM.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1081-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the steel framing shall be examined and checked for stress values by the borough superintendent; that in order to obtain anchorage at the column a collar shall be provided consisting of two semi-circular sections of rolled channels with brackets and drawn tightly against the column by bolting and that the steel framing shall be welded top and bottom to such collar at each column; that all stresses shall be within the permitted Code values; that the proposed concrete shell shall be thoroughly bonded to existing concrete columns to the satisfaction of the borough superintendent.

550-42-A.

APPLICANT—Peter A. Strobel, for Defense Plant Corporation of U. S. A. (Republic Steel Corporation, agent for owner).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—160 Scott avenue, southeast corner of Scholes street (Block No. 2972, Lot Nos. 1 and 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Peter A. Strobel and A. G. Maygar.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

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THE RESOLUTION (550-42-A)

WHEREAS, Peter A. Strobel, for Republic Steel Corporation, as Agents for Defense Plant Corporation, owners, filed on July 9, 1942, an appeal from a decision of the borough superintendent, affecting the premises of 160 Scott avenue, southeast corner Scholes street (Block No. 2972, Lot Nos. 1 and 25), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated July 7, 1942 on N.B. Application 305-42, reads:

"3. Construction—Proposed building of approximately 100,000 sq. ft. area to comply with section 4.2.1 as to fireproof construction requirement."

and

WHEREAS, the applicant states that the proposed building will be one-story in area of Class 3 and 4 construction, equipped with a sprinkler system located in an unrestricted use district and used as a steel tube mill with an occupancy of 220 persons; and

WHEREAS, the applicant contends that it has been prevented by priorities from using steel trusses, roof purlins or steel windows, that the nature of the use of the building as proposed prevents the introduction of fire walls by reason of the continuous line production and crane operation necessary in the manufacturing process. The building will be used essentially for the production of war materials and will be constructed of steel columns supporting crane girders and continuing up to support wood roof trusses. Wood roof joists spanning between trusses and wood plank roof deck will be surfaced with mineral surface built-up roofing. Wood frame monitors will be constructed on the roof. Exterior walls will be brick to a height of 22 feet above mill floor and wood stud above surfaced on the exterior with vertical boards and battens. The building will have wood sash throughout except in the low extension housing the furnaces. Concrete floors will be provided throughout. The low extension housing furnaces will have brick walls and concrete beam and slab roof.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 305-42 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall be constructed substantially as proposed and for the use as set forth; that the soffit and sides of the lowest cord of the wood trusses shall be protected with asbestos millboard moulded vermiculite concrete in sheet form or equivalent not less than ½ inch in thickness; that this variance shall continue only during the term of the present war emergency and for one year thereafter; that the proposed construction of this building within the bed of Seneca avenue is not included in this resolution unless a variance is granted by the Board under its powers under section 35 of the General City Law under Cal. No. 553-42A which has been set for hearing on July 28, 1942.

349-37-A.

APPLICANT—A. H. Salkowitz, for Dr. Irving Michlin, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—2256 Bronx Park East, southeast corner of Thwaites place (Block No. 4331, Lot Nos. 24 and 25), Borough of The Bronx.

APPEARANCES—

For Applicant: Dr. Irving Michlin.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (349-37-A)

WHEREAS, A. H. Salkowitz, for Dr. Irving Michlin, owner, filed July 8, 1937, an appeal from a decision of the

commissioner of buildings, affecting premises 2256 Bronx Park East, southeast corner of Thwaites place (Block No. 4331, Lot Nos. 24 and 25), Borough of The Bronx; and

WHEREAS, this appeal was granted by the Board July 16, 1937, on certain conditions, resolution amended October 17, 1939, and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 16, 1937, as amended October 17, 1939, only in so far as it has reference to the term of the permit so that as amended this portion of the resolution shall read:

"Granted for a term of five (5) years from the date of this amended resolution to permit . . ."

1064-39-A.

APPLICANT—Cortland Realty Company of New York, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent (Appeal previously granted on condition re order of the fire commissioner).

PREMISES AFFECTED—45-17 Pearson street, east side, 150 ft. south of Northern boulevard (Block No. 84, Lot Nos. 9, 10 and 11), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: J. E. Melini and Arnold Levine.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1064-39-A)

WHEREAS, Cortland Realty Company of New York, owner, filed August 23, 1939, an appeal from an order of the fire commissioner, affecting premises 45-17 Pearson street, east side, 150 ft. south of Northern boulevard (Block No. 84, Lot No. 11), Long Island City, Borough of Queens; and

WHEREAS, this appeal was granted by the Board December 12, 1939, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 12, 1939, by adding thereto:

"that in the event the building is equipped with a two source sprinkler system throughout meeting the requirements of the Code therefor, the requirements of this order for a standpipe may be waived, provided a Certificate of Occupancy for the proposed occupancy is obtained from the borough superintendent; that the building shall comply in all other respects for the proposed factory occupancy."

690-41-A.

APPLICANT—Benjamin Englander, lessee, for Carolina Heinlein, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner (previously granted on condition).

PREMISES AFFECTED—117-121 West 128th street, north side, 200 ft. west of Lenox avenue (Block No. 1913, Lot Nos. 20, 21 and 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Paul Abrahams and Benj. Englander.

ACTION OF BOARD—Application reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (690-41-A)

WHEREAS, Benjamin Englander, lessee, for Carolina Heinlein, owner, filed July 24, 1941, an appeal from an order and decisions of the fire commissioner; premises 117-121 West 128th street, north side, 200 ft. west of Lenox avenue (Block No. 1913, Lot Nos. 20, 21 and 22), Borough of Manhattan; and

WHEREAS, this appeal was granted by the Board April 28, 1942, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of April 28, 1942 so that as amended the resolution shall read:

"That the Order of the fire commissioner, No. 10636-LF, Objection No. 1, be and it hereby is modified and that the appeal be and it hereby is granted on condition that an approved thermostat alarm system shall be installed throughout the building; that such thermostat alarm system shall be connected to fire headquarters through an approved central station; that having also connected thereto a manual control box located on the street floor to give such an alarm to fire headquarters through a central station; that such system shall also actuate a warning gong located where audible to attendant; that the storage of hay and feed throughout the building shall be maintained in rooms separated from the balance of the floor by fire-retarded walls and ceilings of one hour fire-resistive rating; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the hay shall be normally stored in bales with only such bales open as are necessary at feeding time; that non-smoking signs shall be posted throughout the building as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

APPLIANCES AND MATERIAL SUBMITTED FOR APPROVAL.

6-37-SA.

APPLICANT—Diesel Oil and Burner Corporation of New York, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re approval of Diesel American Oil Burner, Models DA-0, DA-2 and DA-3 (previously approval re Model DA-1).

APPEARANCES—

For Applicant: J. H. Sideron.

ACTION OF BOARD—Application reopened and referred to the Committee on Tests.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

989-39-SM.

APPLICANT—Medusa Portland Cement Company, owner.
SUBJECT—Medusa Medco High Early Strength Portland Cement, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application for approval of material withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

454-41-SM.

APPLICANT—Samuel Rosenblum, for Superior Fireproof Door and Sash Company, Incorporated, owner.

SUBJECT—Superior One Hour Hollow Steel Fire Door, approval of.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (454-41-SM)

WHEREAS, Samuel Rosenblum, for the Superior Fireproof Door and Sash Co., Inc., owner, filed on May 16, 1941, an application with the Board of Standards and Appeals for approval of the material known as the Superior One Hour Hollow Steel Fire Door; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 29, 1942.

Re: Cal. No. 454-41-SM.

Subject: Superior One Hour Hollow Steel Fire Door, Approval of.

The Superior Fireproof Door and Sash Company, Inc., Bronx, New York, filed on May 16, 1941, with the Board of Standards and Appeals an application for

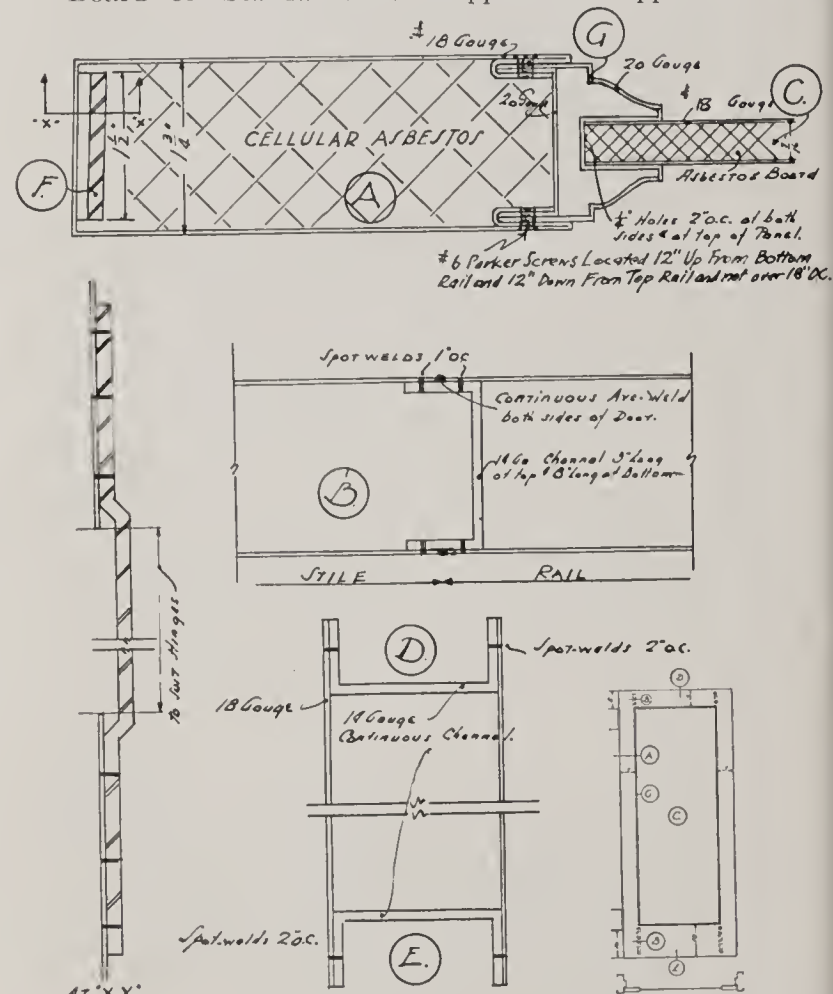


FIG. 1

approval under the requirements of Section C26-178.0, b of its material known as the Superior One Hour Hollow Steel Fire Door for use under Sections C26-661.0 and C26-662.0 of the Administrative Code.

The Superior One Hour Hollow Steel Fire Door (Fig. 1) is constructed as follows: Stiles and rails of not less than 18 gauge steel with inside edges grooved to receive interlocking steel channel of #14 gauge steel and flanges of panel moulding (G). The stiles (A)

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are constructed similar to top and bottom rails except stiles are in one piece of No. 18 gauge steel. Stiles and rails are filled with strips of cellular asbestos to a thickness of $1\frac{5}{8}$ " (A).

Panel "C"

Constructed of not less than #18 gauge steel, insulated by not less than $\frac{3}{8}$ " asbestos board; all cemented together to form finished panel approximately $\frac{7}{16}$ " thick. Panels are secured in groove of panel moulding (G) not less than $\frac{3}{4}$ ". Panel moulding (G) to consist of #20 gauge steel.

Hardware

All cutting and fitting for hinges and locks are done from templates at factory. Depressed reinforcing plates "F" of steel $\frac{1}{8}$ " thick are welded to hinge and lock stiles, drilled and tapped for attachment of finished hardware.

Assembly

The panel "C" is fitted into $\frac{3}{4}$ " rabbet formed in panel moulding "G" around four sides of the panel and is mitred and welded at the corners. $\frac{1}{4}$ " vent holes 2" O.C. at both sides and at top of panel are provided. The reinforcing channels of 14 gauge steel are inserted in top and bottom rails extending full width of door and spot welded 1" O.C. (D & E). The rail and stiles are joined at top and bottom (B) by a continuous arc weld both sides of door. The stiles and rails are fitted over panel moulding with the grooved inside edges of the stiles and rails engaging the outer flanges of the panel moulding (G), and fastened by No. 6 Parker screws located 12" up from bottom rail and 12" down from top rail and not over 18" O.C.

A sample door, 6 ft. 8 in. by 4 ft., provided with four $4\frac{1}{2}$ " half surface steel butts and a single point lock with a $\frac{3}{4}$ " throw was subjected to a fire and hose stream test in accordance with the requirements of Art. 11, Group 18 of the Administrative Code (See Report of the Underwriter's Laboratories, Inc., dated April 6, 1936) and withstood the test by successfully preventing the passage of smoke and flames. The application of the hose stream had no effect on the structural stability of the assembly. At the 30 minute period the average temperature rise on the unexposed side was 455° F., which was below the 650° F. rise permitted by Section C26-610.0.e.

On the basis of the foregoing data the Committee on Tests recommends the approval of the Superior One Hour Hollow Steel Fire Door, when constructed as described herein, and as shown in Fig. 1, as having met the fire resistive requirements for a rating of one hour for use as an opening protective assembly in fireproof partitions when used alone or in pairs. The Committee also recommends approval as a fireproof door for use under the Multiple Dwelling Law, Art. 1, Sec. 4, Item 10, which provides for a fire resistive rating of one hour when used in fireproof partitions. All opening protective assemblies manufactured under this approval shall be marked and inspected as provided in the Rules for Inspection of Approved Opening Protective Assemblies.

(Sgnd.) BERNARD A. SAVAGE,

Commissioner,

CHARLES M. BLUM,

Commissioner,

LESLIE V. HUBER,

Chief Engineer,

Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Superior One Hour Steel Fire Door, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

779-41-SM.

APPLICANT—Certain-Teed Products Corporation, owner.
SUBJECT—Certain-Teed Gypsteel Precast Short Span Gypsum Roof Slabs (3" x 12" x 30", solid), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (779-41-SM)

WHEREAS, the Certain-Teed Products Corp., owner, filed on July 31, 1941, an application with the Board of Standards and Appeals for approval of the material known as Certain-Teed Gypsteel Precast Short Span Gypsum Roof Slabs (3" x 12" x 30" solid); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 1, 1942.

Re: Cal. No. 779-41-SM

Subject: Certain-Teed Gypsteel Precast Short Span Gypsum Roof Slabs (3" x 12" x 30" solid), approval of.

The Certain-Teed Products Corp. of New York City filed on July 31, 1941 an application with the Board of Standards and Appeals for approval of their material known as Certain-Teed Gypsteel Precast Short Span Gypsum Roof Slabs (3" x 12" x 30" solid) under section C26-619.0b (10.3.1), C26-625.0 (10.3.7), and C26-626.0 (10.3.8) for use on subpurlins on horizontal and sloping roofs. Gypsteel Precast Short Span Gypsum Roof Slabs are made from processed or synthetic gypsum complying with A.S.T.M. C-22-25 and produced under constant laboratory control. It meets the requirements when tested as provided for in A.S.T.M. C26-39.

Gypsteel Precast Short Span Gypsum Roof Slabs are rectangular reinforced units 3" thick, 12" wide and 30" long. They are manufactured from calcined gypsum, mined and processed in their own plants, meeting the requirements of C26-312.0d, and which is intimately mixed with not more than 3% by dry weight of wood planer shavings. The slabs are reinforced longitudinally by two $\frac{3}{16}$ " diameter steel rods located $\frac{1}{2}$ " from the bottom surface. These rods are first placed in a steel form where they are held in position by lugs and the mixture of calcined gypsum and shavings is then poured into the form and troweled to a level surface. After the composition has taken its set, the slabs are kiln dried and are ready for shipment.

Tests

Tests were performed by the Pittsburgh Testing Laboratories (File No. 9489.12) on samples of the material selected by a representative of the Buffalo Building Department and witnessed by the undersigned members of the Committee on Tests.

The Gypsum slabs were 3" thick, 12" wide and 30" long, reinforced longitudinally with two 30" long x $\frac{3}{16}$ " diameter, cold drawn steel rods, placed $\frac{1}{2}$ " above the bottom of the slabs and 3" from each side. The test slabs were placed on the inside flange of two "T" bars spaced at 30", thus forming a support for the three point loading test. A wooden platform was then placed on the slab with two 2 x 4's spaced at 5" on each side of the center line and nailed to the bottom of the platform. The platform or slab was then loaded with iron pigs of predetermined weight, until the loading collapsed the test slab. The four slabs tested gave the following results:

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REPORT OF COMMITTEE ON TESTS.

June 29, 1942.

Slab No.	Area Sq. Ft.	Total Load-Lbs.	Lbs./Sq. Ft.
1	2.5	1424	570
2	2.5	1351	540
3	2.5	1162	460
4	2.5	1453	581
		Average	538

The loading of each test slab took from eight to ten minutes each.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval of Certain-Teed Gypsteel Precast Short Span Gypsum Roof Slabs (3" x 12" x 30" solid) under C26-626.0 (10.3.8) for loads based on the requirements for roof loads as provided in C26-347.0 (7.3.2.5) and under C26-625 (10.3.7) in Special Roof Construction as provided therein. Approval is also recommended under C26-619.0 (10.3.1) for roofs of Class 1 and Class 2 Construction where the fire-protective covering is permitted to be omitted from roof trusses as provided in C26-618.0b (10.2.8). In all cases, not less than 1" bearing shall be provided and that the tile shall be supported at each end.

It is further recommended that this material be labeled, stamped or marked "Approved by the Board of Standards and Appeals for Use in New York City, Cal. No. 779-41-SM."

The material covered herein was previously approved for the Structural Gypsum Division of the American Cyanamid and Chemical Corporation under Cal. No. 545-38-SM. Since the issuance of such approval the rights to and the manufacturing processes have been purchased by the Certain-Teed Products Corp.

(Sgnd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Certain-Teed Gypsteel Precast Short Span Gypsum Roof Slabs (3" x 12" x 30" solid), on condition that the material be manufactured, installed and labelled stamped or tagged in accordance with above report.

170-42-SM.

APPLICANT—Jones and Brown, Incorporated, owner.

SUBJECT—Inselbric, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (170-42-SM)

WHEREAS, Jones and Brown, Inc., owner, filed on March 2, 1942, an application with the Board of Standards and Appeals for approval of the material known as Inselbric; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

Re: Cal. No. 170-42-SM

Subject: Inselbric, approval of.

Jones & Brown, Inc. of Pittsburgh, Pa. filed March 2, 1942 an application with the Board of Standards and Appeals for approval of the material known as "Inselbric" under the provisions of C26-248.0 (4.1.3) of the Administrative Building Code.

This material consists of a 1/2 inch fibre board (Celotex) base saturated both sides and coated on the exterior surface with asphalt mastic so that same is cemented solidly to the fibre board. The surface on which the designs are made consists of a high melt point coating asphalt with various colored crushed brick granules embedded therein and designed generally to simulate the appearance of brick siding. The edges are of ship lap construction. The panels are 14 inches by 43 inches in size and are provided with prefabricated nail holes (for six penny nails) spaced approximately 6 in. on centres, so designed to seal the nails in mastic. Each panel contains 32 metal anchors which secure the combination of asphalt and simulated brick granules facing to the fibre board. The corners are angular pieces 33 in. by 4 in. by 4 in. reinforced with copper wire. Trim pieces are 33 in. by 4 in. and soldier courses are 33 in. by 8 in. The panels weigh 198 lbs. per square; the trim 85 lbs. per 106.4 lineal feet; the corner pieces 68 lbs. per 42 lineal ft. The material is shipped in cartons. It is proposed to use this material as a siding finish over wood sheathing in Class 4 construction and as a resurfacing material over wood clapboard in existing Class 4 construction in all cases for use in buildings outside the "Fire Limits" and where legally permitted as replacements within the "Fire Limits."

The Committee on Tests has investigated this material and recommends that the material be approved under C26-178.0b for use limited to frame construction outside the fire limits as provided for in C26-248.0 (4.1.3) Administrative Building Code, and provided that this material when used in New York City shall have each carton marked or labelled: "Approved by the Board of Standards and Appeals for use in New York City (outside Fire Limits) under Cal. No. 170-42-SM."

(Sgnd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Inselbric, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

373-42-SA.

APPLICANT—Handy Folding Pail Company, Incorporated, owner.

SUBJECT—Handy Folding Water Bucket, 10 and 12 Quart Capacity, approval of

APPEARANCES—

For Applicant: Milton Gold.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

MINUTES

THE RESOLUTION (373-42-SA)

WHEREAS, the Handy Folding Pail Co., Inc., owner, filed on May 6, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the Handy Folding Water Bucket, 10 and 12 Quart Capacity; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 10, 1942.

Cal. No. 373-42-SA

Subject: Handy Folding Water Bucket, 10 Qt. Capacity, approval of.

The Handy Folding Pail Company, Inc. filed May 6, 1942 an application with the Board of Standards and Appeals for approval of the Handy Folding Water Bucket, 10 qt. Capacity, under the provisions of C19-161.0, Administrative Code and Sec. 666 S 1 of the New York City Charter.

This bucket is constructed of either a 13 oz. Brown Army Paraffined Duck or a rubberized material consisting of a coating of a rubber compound between 2 layers of drill, finished weight 24 oz. per sq. yard. The canvas is secured stitched about a steel frame with not less than 12 stitches per inch of No. 20, four cord, left twist thread. The frame consists of a black hot rolled round edge strip steel, 20 to 25 per cent carbon, $\frac{1}{2}$ inch wide by 0.109 in. thick and are joined at opposite sides by hinged stays. The top ring of the 10 qt. bucket is 11 inches in diameter and of the 12 qt. bucket 11 $\frac{3}{4}$ in. The bottom ring of the 10 qt. bucket is 9 inches in diameter and of the 12 qt. bucket 10 inches in diameter. The hinged stays are made of hot rolled pickled or cold rolled steel 0.093 inch thick. Each ring is hinged so that it may be folded on itself to form a semi-circle. Stays are channeled for rigidity with convex surface outward. The hinge is such as to allow stay to fold completely on itself in one direction and to lock in the horizontal or extended position. The bail is made from No. 9 gauge basic steel wire. It folds inside the bucket proper and has an enameled wooden handle 3 $\frac{3}{8}$ in. long. Entire steel frame is block enameled. All rivets are rust-proofed. The height overall of bucket is 9 $\frac{3}{4}$ inches.

This bucket was examined and tested by the Committee on Tests for construction, resistance to leakage and ease of handling which was concluded to be adequate to the purpose.

On the basis of this data, the Committee on Tests recommends that the Handy Folding Water Bucket, 10 and 12 Quart Capacity, be approved for emergency use in New York City in the extinguishment of incendiary bond fires, under the provisions of C19-161.0, Administrative Code for use under the requirements of Local Law No. 25 of 1942 provided the bucket be constructed as described in this report and bear a label reading: "Approved by the Board of Standards and Appeals for War Emergency use in New York City under Cal. No. 373-42-SA." When the war emergency is over, the use of these containers shall be discontinued.

(Sgnd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

Water Bucket, 10 and 12 Quart Capacity, on condition that the appliance be manufactured and labelled, stamped or tagged in accordance with the above report.

Adjourned: 4:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

158-41-SM.

NOTE: In Bulletin No. 27, Vol. 27, issued July 7, 1942, notation was made of publication in a subsequent issue of the Bulletin—this resolution is now published as follows:

THE RESOLUTION (158-41-SM)

WHEREAS, Roddis Lumber and Veneer Co., owner, filed an application with the Board of Standards and Appeals for approval of the material known as the Roddis Protex 45 Door; and

WHEREAS, this application was withdrawn January 27, 1942, on request of applicant; and

WHEREAS, the applicant requested reopening of the application and consideration by the Board; and

WHEREAS, this application was reopened by vote of the Board, and referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 5, 1942.

Cal. No. 158-41-SM (Vol. III).

Subject: Roddis Protex 45 Door, approval of.

The Roddis Lumber and Veneer Company of Marshfield, Wisconsin, filed an application on February 21, 1941 with the Board of Standards and Appeals for the approval of the Roddis 45 Door as an opening protective assembly required to have a fire resistive rating of $\frac{3}{4}$ of an hour under C26-662.0 of the Administrative Building Code.

Tests on samples were conducted in July, 1941 and in November, 1941, and in both the tests the samples failed to meet the requirements. These tests constitute Volumes I and II of the application. On May 15, 1942, a third sample of the redesigned door, was subjected to a test, the results of which gave the Board a basis for considering the request for approval. The specifications of this last tested door and the tests to which it was subjected are as follows:

The test sample was a full-sized door assembly consisting of a flush door (Fig. 1) mounted on a steel frame combination buck and jamb without saddle. The door was 31-15/16" across the width by 6' 8" in height by 1 $\frac{7}{8}$ " in thickness, equipped with 1 $\frac{1}{2}$ pairs of olive type Rixson butts and a Best Universal Tubular Knob Latch, which was set 38-7/16" from the bottom of the door and had a throw of 7/16". The door had a central wood core of white pine block double tongue and grooved at side and single at ends, which were covered on each side with a sheet of woven asbestos cloth 1/16" in thickness glued to the core with Phenol resin type glue. Over the asbestos was placed a 1/20" veneer of cross-banding which was glued to the asbestos with Phenolic resin. Over the cross banding was placed a 1/20" face veneer birch which was applied and secured to the cross banding with the same glue. Both sides of the door were built up in the same manner, while around the four sides a $\frac{3}{4}$ " double tongue and grooved edging was applied, completely surrounding the central core.

The entire assembly was mounted in the masonry of the test furnace with the samples swinging towards the combustion chamber. The door was then submitted to a test to determine the fire resistive performance of said door to meet the requirements of C26-662.0 as a fire resistive door having a rating of three-quarters of an hour for a period of 45 minutes duration under tests as provided in C26-579.0 to 585.0.

MINUTES

The sample was mounted in the steel buck with a clearance of $1/32$ " top, $1/16$ " hinge stile on $1/16$ " lock stile with the bottom clearance of $1/32$ ", which in the opinion of the Committee, was insufficient as clearances should be $1/16$ " all around, except on the bottom which should have been $3/16$ ".

Fire Test Sample

The fire test sample was subject to a fire test in accordance with the requirements of C26-579.0, with readings taken from ten 14 gauge Chromel-Alumel couples uniformly spaced throughout the furnace. All temperatures were determined in accordance with the provisions of C26-581.0. An inspection of the curve shows that the requirements thereof were substantially met.

The temperature of the unexposed face of the sample was observed by means of three couples located at the center of the panel and the middle third of the top and bottom.

Observations During Test

The weather was partly cloudy with a six mile southeasterly wind. Temperature at the start of test was

in the core. In all other respects the door remained in place and met the requirements as a 45 minute opening protective assembly. Inasmuch as there is no requirement for a hose stream test for a fireproof door, this test was not performed. The temperature at the unexposed side at the end of 30 minutes was 140° F. total or net rise of 68° F. At the end of 45 minutes the total temperature on the unexposed face was 160° F. There was some smoke at the end of the middle third of the test but in such quantities which differed little from that usually experienced in tests on Kalamein doors previously approved by the Board.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Roddis Protex 45 Door when mounted in a steel frame and of construction details as given in Figure 1, as an approved opening protective assembly for use under C26-662.0 in fireproof partitions requiring a fire resistive rating of $3/4$ of an hour under the Administrative Building Code. It is further recommended that the doors be inspected and labelled as provided in the In-

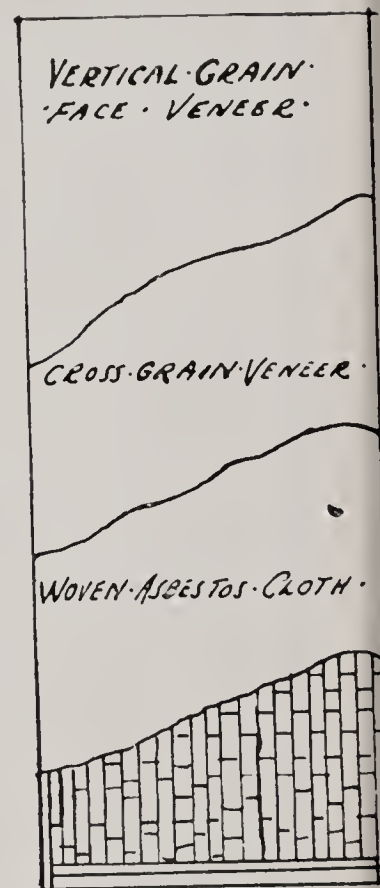
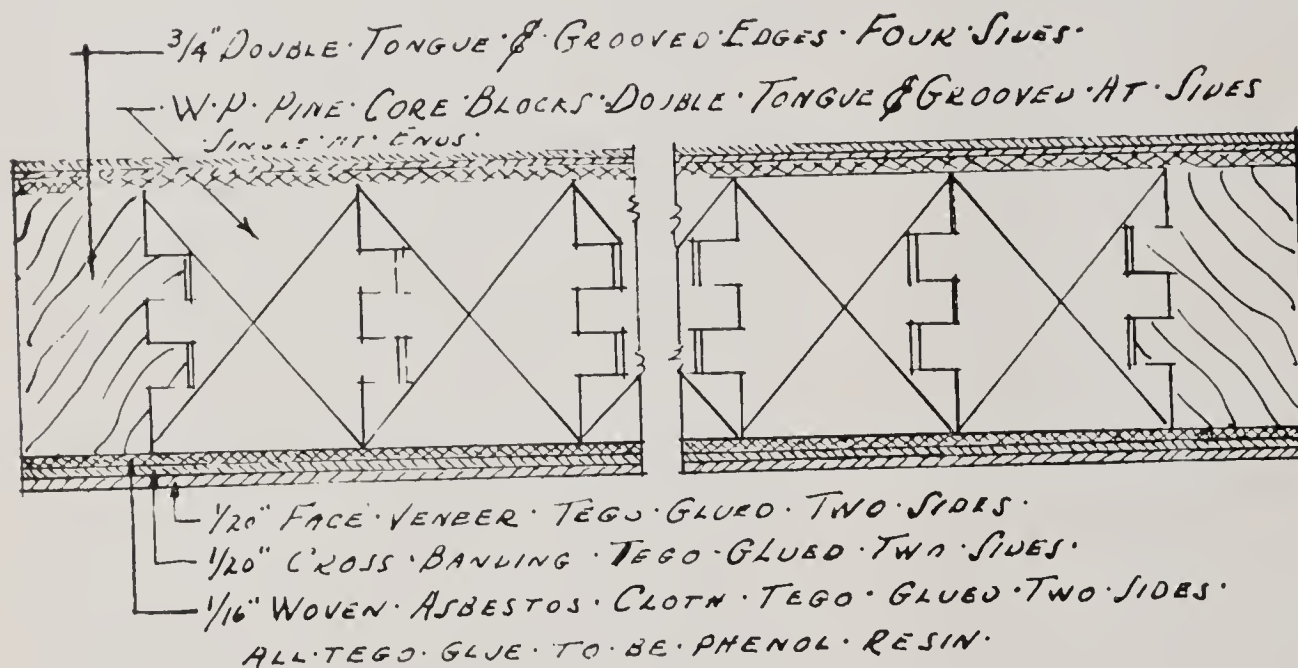


FIG 1

78° F. The door performed as expected for untreated wood doors. The face veneer on the exposed side started to flame and towards the end of the 20 minute period some smoke was given off the top of the sample into the vestibule. This continued until at the end of 30 minutes the face veneer and cross banding were practically consumed but it remained in place along with the asbestos. At the end of 40 minutes the upper and lower corners pulled away from the stop beads about 1" towards the vestibule. There was no other change in the unexposed side while on the exposed side the asbestos sheet remained flat all over the face with small vertical cracks noted at the center. At the end of the 45 minute period the conditions remained the same as for the 40 minute period except for a slight discoloration in the upper left hand corner of the door where there also was an increase in the warping away from the stop bead of an additional $1/4$ ". When the test was stopped the asbestos was still in contact with the core and there was still some flaming of unconsumed wood

spection of Opening Protective Assembly Rules of the Board governing the inspection of Approved Opening Protective Assemblies.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Roddis Protex 45 Door, on condition that the material be manufactured installed and labeled, stamped or tagged in accordance with the above report.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 30

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
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On July 17, 1942, petition and order of certiorari was served on the
Board by Philip Adelman, attorney for J. K. Construction
Corp., lessee, in re decision of the Board on July 7, 1942,
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On July 21, 1942, a petition and order of certiorari was served on
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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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DOCKET.

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| 567-42-SA | Security Fire Door Company, | Type C Contact, Appliance. |
| 568-42-SA | Security Fire Door Company, | Type ES Emergency Release, Appliance. |
| 569-42-SA | Security Fire Door Company, | Type D Interlock, Appliance. |
| 570-42-S | H.B.Q.—37-32 12th street, west side, 150.14 ft. north of 38th avenue (Block No. 361, Lot No. 32), Long Island City, Borough of Queens, M-5867-41. | |
| 571-42-A | F.D.—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens, 92242-L. C. | |
| 572-42-S | F.D.—33 35th street, northeast corner of Second avenue (4th floor); (Block No. 687, Lot No. 1); Borough of Brooklyn, Decision. | |
| 573-42-A | F.D.—983 McDonald avenue, east side, 22 ft. south of Webster avenue (Block No. 5419, part of Lot No. 8), Borough of Brooklyn, 92202-L. C. | |
| 574-42-A | H.B.Q.—11-11 34th avenue, northwest corner of 12th street (Block No. 318, Lot No. 1), Long Island City, Borough of Queens, Alt. 1310-42. | |
| 575-42-S | F.D.—83-02 to 83-12 Atlantic avenue and 94-01 to 94-11 83rd street, southeast corner (Block No. 9014, Lot No. 1), Ozone Park, Borough of Queens, 8464-L. F. and Decision. | |
| 576-42-A | F.D.—332-334 Pearl street, west side, 130 ft. 1 in. north of Myrtle avenue (Block No. 140, Lot Nos. 25 and 26), Borough of Brooklyn, 9215-L. F. | |
| 577-42-BZ | H.B.B.—1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn, Applic. 1375-42. | |
| 578-42-BZ | H.B.B.—6802-6810 Fort Hamilton parkway, southwest corner of 68th street (Block No. 5771, Lot No. 6), Borough of Brooklyn, Alt. 1896-42. | |
| 579-42-A | H.B.Q.—22-52 45th street and south side of Ditmars boulevard from 43rd to 45th streets (Block No. 782, Lot Nos. 1, 25, 26, 47 and 48), Astoria, Borough of Queens, N. B. 921-42. | |
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DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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JULY 28, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, July 28, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

77-32-BZ—Application of Lama and Proskauer, applicants, on behalf of Anagal Realty Company, Incorporated, owner, reopened November 5, 1941, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the maintenance and the extension of a gasoline service station (previously granted by the Board for a temporary period); premises 181-07 Horace Harding boulevard, northeast corner of Utopia parkway (Block No. 7065, Lot No. 5), Flushing, Borough of Queens.

228-42-BZ—Application, March 20, 1942, under section 7h of the zoning resolution, of Thomson Hill Land and Improvement Company, applicant and owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 39-16 48th avenue, southwest corner of 39th place (Block No. 206, Lot No. 18), Long Island City, Borough of Queens.

276-42-BZ—Application, April 1, 1942, under section 7c of the zoning resolution, of Joseph B. Lynch, applicant, on behalf of Louis Iervolino and Thomas Iervolino, owners, to permit in a residence use district, the reconstruction and change of occupancy of an existing garage building to a gasoline service station; premises 81 Rapelye street, northwest corner of Hicks street (Block No. 363, Lot No. 38), Borough of Brooklyn.

314-42-BZ—Application, April 15, 1942, under section 7h of the zoning resolution, of Union Parking Corporation, applicant and lessee, on behalf of Dry Dock Savings Institution, owner, to permit in a retail-1 use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 122-126 West 48th street, south side, 245 ft. west of Sixth avenue (Block No. 1000, Lot No. 43), Borough of Manhattan.

42-42-BZ—Application, May 28, 1942, under section 7c of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

49-42-BZ—Application, April 13, 1942, under sections 7h and 21 of the zoning resolution, of Herman Kron, applicant, on behalf of Emigrant Industrial Savings Bank, George Kraus and John Kraus, owners (J. K. Construction Company, Incorporated, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 59-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56, Borough of Manhattan).

98-42-BZ—Application, June 24, 1942, under section 21 of the zoning resolution, of William Shary, applicant, on behalf of S. E. R. Realty Corporation, owner (H. E. R. Laboratories, Incorporated, lessee), to permit in a residence use district, the extension in height of a business building; premises 457 West 46th street, north side, 175 ft. east of Tenth avenue (Block No. 1056, Lot No. 8), Borough of Manhattan.

13-42-BZ—Application, February 18, 1942, under sections 7a and 7c of the zoning resolution, of Jacob J. Gloster, applicant, on behalf of Five Eleven Realty Corporation, owner, to permit in a residence use district, the alteration and extension of a business use on the first (1st) story and, so, the extension and conversion of occupancy from residence use to business use of the second (2nd) story of an existing building; premises 509 East 72nd street, north side,

173 ft. east of York avenue (Block No. 1484, Lot No. 8), Borough of Manhattan.

31-33-BZ—Application of Lama and Proskauer, applicants, on behalf of Packer Service Center, Incorporated, owner, reopened November 18, 1941, under sections 7f and 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of years, the use of a plot of ground as a gasoline service station and, also, for the parking and storage of more than five (5) motor vehicles; premises 610-622 Utica avenue, northwest corner of Winthrop street (Block No. 4603, Lot No. 40), Borough of Brooklyn.

425-42-BZ—Application, May 22, 1942, under sections 7i and 21 of the zoning resolution, of Bishop, McCormick and Bishop, applicants and lessees, on behalf of Bismac Corporation, owner, to permit partly in a business use and partly in a residence use district, for a term of years, the conversion of occupancy of a building to a motor vehicle repair shop (this case was previously acted upon by the Board); premises 139-29 Hillside avenue, north side, 103.40 ft. west of 143rd street (Block No. 9698, Lot Nos. 21 and 23), Jamaica, Borough of Queens.

1023-41-BZ—Application, November 27, 1941, under section 7h of the zoning resolution, of Max Horn, applicant, on behalf of St. Georges Church, owner (Harry Zeitlin, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 162 Beach 110th street, northeast corner of Ocean Promenade (Block No. 654, Lot No. 42, Rockaway Beach, Borough of Queens).

696-41-BZ—Application, July 25, 1941, under section 7h of the zoning resolution, of David Koss, applicant, on behalf of Edward Schneider, Anthony Gazzola, Charles Parma and Celestine Parma Powers, owners (Julia Murphy, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 101-15 Rockaway Beach boulevard, south side, 50 ft. east of Beach 102nd street and 184 Beach 102nd street (Block No. 640, Lot No. 11), Rockaway Beach, Borough of Queens.

505-42-BZ—Application, June 23, 1942, under section 7h of the zoning resolution, of John P. Riley, applicant and Chief Engineer, on behalf of New York City Housing Authority, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 278-292 Tenth avenue, east side, between West 26th and West 27th streets, 455-463 West 26th street and 446-460 West 27th street (Block No. 724, part of Lot No. 1), Borough of Manhattan.

525-42-BZ—Application, July 1, 1942, under section 7h of the zoning resolution, of Julius Soman, applicant and Assistant Engineer, on behalf of New York City Housing Authority, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 204-232 West 64th street, south side and 203-219 and 225-231 West 63rd street, north side, 100 ft. west of Amsterdam avenue (Block No. 1155, part of Lot No. 14), Borough of Manhattan.

893-41-BZ—Application of Irving M. Fenichel, applicant, on behalf of Stapleton Service Laundry, Incorporated and Margreen Realty Company, Incorporated, owners (Stapleton Service Laundry, Incorporated, lessee), reopened June 23, 1942, under section 21 of the zoning resolution, to permit in a manufacturing use district, the conversion of occupancy of part of an existing building to a laundry (including dry cleaning use); premises 46-62 Greenleaf avenue and 141-157 Marion street, northwest corner (Block No. 237, Lot Nos. 73 and 69), West New Brighton, Borough of Richmond.

536-42-BZ—Application, July 3, 1942, under sections 21 and 7c of the zoning resolution, of Sidney L. Strauss, applicant, on behalf of General Bronze Corporation, owner, to permit in a business use district, the erection and maintenance

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nance of a building to be used for metal manufacturing; premises 34-12 10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45, inclusive), Long Island City, Borough of Queens.

1052-41-BZ—Application, December 4, 1941, under section 7c of the zoning resolution, of Frank Straub, on behalf of Frederick Figge Company, owner, to permit in a business use district, the conversion of occupancy of an existing building to factory use; premises 300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

Appeals from Administrative Decisions.

456-42-S—300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

354-42-A—48 Greenleaf avenue, west side, 95 ft. 4 in. north of Marion avenue (Block No. 236, Lot No. 69), West New Brighton, Borough of Richmond.

584-42-A—34-12 10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45, inclusive), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 28, 1942, 2 P. M.

Appeals from Administrative Decisions.

407-42-A—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

383-42-A—383 Third avenue, east side, 205 ft. south of Third street (Block No. 980, Lot No. 1), Borough of Brooklyn.

400-42-A—134-184 43rd street and 4302-4320 Second avenue, southwest corner (Block No. 726, Lot No. 1), Borough of Brooklyn.

553-42-A—160 Scott avenue, southeast corner of Scholes street (Block No. 2972, Lot Nos. 1 and 25), Borough of Brooklyn (under section 35, General City Law—re bed of mapped street—Seneca avenue).

202-42-A—172-176 and 178-184 South Elliott place, west side, 131 ft. 4 in. north of Atlantic avenue (Block No. 2002, Lot Nos. 46-52), Borough of Brooklyn.

513-42-A—214 West 26th street, south side, 170 ft. west of Seventh avenue (Block No. 775, Lot No. 48), Borough of Manhattan.

526-42-A—60 South 4th street, southeast corner of Wythe avenue (rear) and 359 Wythe avenue, east side, 80 ft. south of South 4th street (Block No. 2442, Lot No. 7), Borough of Brooklyn.

571-42-A—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens.

564-42-A—937-939 Fulton street and 485-495 Waverly avenue, northeast corner (Block No. 1978, Lot Nos. 1 and 45), Borough of Brooklyn.

576-42-A—332-334 Pearl street, west side, 130 ft. 1 in. north of Myrtle avenue (Block No. 140, Lot Nos. 25 and 26), Borough of Brooklyn.

565-42-A—2294-2296 Seventh avenue, southwest corner of West 135th street (Block No. 1940, Lot No. 35), Borough of Manhattan.

334-42-A—340 Greenwich street, west side, 70 ft. 9 in. north of Jay street (Block No. 182, Lot No. 14), Borough of Manhattan.

570-42-S—37-32 12th street, west side, 150.14 ft. north of 38th avenue (Block No. 361, Lot No. 32), Long Island City, Borough of Queens.

236-42-S—457-459 Livonia avenue and 517-527 Van Sinderen avenue, northeast corner (Block No. 3799, Lot No. 51), Borough of Brooklyn.

551-42-A—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

Appliances and Materials for Approval.

22-42-SM—Wolmanized Lumber.

695-39-SM—Nazareth Dark Portland Cement (reopened December 16, 1941 re amendment of resolution; previously approved re Nazareth Portland Cement and Nazco High-Early-Strength Portland Cement).

486-42-SM—New York Trap Rock Corporation Clinton Point Dolomite Crushed Stone.

620-40-SM—"Fiberglas" Thermal and Sound Insulation.

6-37-SA—Diesel American Oil Burner, Models DA-0, DA-2 and DA-3 (reopened July 14, 1942 re amendment of resolution; previously approved re Model DA-1).

250-40-SM—National Carbide Floodlights, Models NC-100, NC-200, Handy Light NC-199 and Police Emergency NC-299 (reopened June 2, 1942 re amendment of resolution; previously approved re National Carbide V-G Light).

395-42-SM—Antiflame (Fireproof Compound).

887-41-SM—Boosey #109 Drainage Control Valve.

1407-39-SM—United Floor Construction.

SEPTEMBER 15, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 15, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

559-37-BZ—Application of Samuels and Samuels, applicants, on behalf of Fellman Realty Corporation, owner, reopened April 28, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

542-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Hagaman, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 936 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 15, 1942, 2 P. M.

Appeals from Administrative Decisions.

529-42-A—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn.

360-42-A—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

359-42-S—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 21, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning, July 14, 1942 and Tuesday afternoon, July 14, 1942 were approved as printed in Bulletin No. 29, Vol. 27.

ZONING CASES.

542-41-BZ.

APPLICANT—Dominic Russo (lessee), for Dominic Russo and Estate of Andrew Hagaman, owners.

SUBJECT—Application (re decision of the acting borough superintendent) under sections 7a and 7e of the zoning resolution, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop.

PREMISES AFFECTED—936 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Dominic Russo.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 15, 1942 at 10 A. M., for inspection by a committee of the Board. No further argument.

140-42-BZ.

APPLICANT—Anthony M. De Rose, for Anton Escherich, owner.

SUBJECT—Application (re decision of the acting borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a six (6) car garage on the same plot with an existing four (4) car garage.

PREMISES AFFECTED—2851-2853 Bailey avenue, west side, 498 ft. south of West 230th street (Block No. 3264, Lot No. 63), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. De Rose.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 23, 1942 at 2 P. M. for further consideration by the Board.

314-42-BZ.

APPLICANT—Union Parking Corporation (lessee), for Dry Dock Savings Institution, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a retail-I use district, for a term of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—122-126 West 48th street, south side, 245 ft. west of Sixth avenue (Block No. 1000, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: John R. Davis, Harold L. Strauss, Clyde F. Smith and Ira Levin.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 28, 1942 at 10 A. M. for further consideration by the Board.

465-42-BZ.

APPLICANT—Jack Z. Cohen, for 8302 Atlantic Avenue Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7a and 7c of the zoning resolution, to permit in a residence use district, the extension of an existing factory building by the construction and use of a new cellar.

PREMISES AFFECTED—83-02 to 83-20 Atlantic avenue, 94-01 to 94-15 83rd street, southeast corner and 94-02 to 94-16 84th street (Block No. 9014, Lot Nos. 1 and 11), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Larry Meltzer, Joseph F. Farrell, Maurice Herrmann and F. Nusbaum.

For Opposition: B. J. Rhodesis, Rev. Gustave E. Baer, Jennie Mulroy, Agnes G. Haff, Edward C. Geis, Hannah Frischmann, G. Goldman, Board of Education and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 23, 1942 at 10 A. M. for further consideration by the Board. No further argument.

406-41-BZ.

APPLICANT—A. Paul Loshen, for Samuel Litt, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a business use district, for a term of two (2) years, the erection of a lumber shed and the use of the premises as an office in connection with the lumber yard.

PREMISES AFFECTED—218-35 to 218-41 Hempstead avenue, north side, 195.50 ft. west of Springfield boulevard (Block No. 10766, Lot No. 47), Laurelton, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus and Samuel Litt.

For Opposition: Ruth M. Ludemann, Samuel Fuchs, Josephine Cappa, Elsie Barrett, J. B. Schumacher and Frank Leary.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (406-41-BZ)

WHEREAS, A. Paul Loshen, for Samuel Litt, owner, filed May 5, 1941, an application under section 7e of the zoning resolution, to permit in a business use district, for a term of two (2) years, the erection of a lumber shed and the use of the premises as a lumber yard and also the use of the existing store and dwelling as an office in connection with the lumber yard; premises: 218-35 to 218-41 Hempstead avenue, north side, 195.50 ft. west of Springfield boulevard (Block No. 10766, Lot No. 47), Laurelton, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 21, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Hempstead avenue and Springfield boulevard are each in a business use district; 101st avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent, dated April 14, 1941 and as amended May 18, 1942, reads:

"1. The erection of a lumber shed and the use of the premises as a lumber yard, also the use of the

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existing store and dwelling as an office, in connection with the lumber yard, is contrary to section (4) 31 of the Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 97 ft. Upon the westerly frontage of the plot there is a two story, frame, store and dwelling. It is proposed to erect upon the rear of the plot a frame lumber shed, 100 ft. by 17 ft. in area; to use the vacant portion of the plot as a lumber yard and also to use the 1st story of the existing building as an office for the proposed lumber yard. It is proposed to use the plot (as proposed to be developed) for a term of two (2) years. No machinery is to be installed; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under Section 7, subdivision e of the zoning resolution.

Resolved, that the decision of the borough superintendent, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

705-41-BZ.

APPLICANT—Max Horn, for Idella K. Koechel, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—170 Beach 105th street, northeast corner of Shore Front parkway (Block No. 643, Lot Nos. 10, 17 and 18), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn, Idella K. Koechel and James A. Martin.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (705-41-BZ)

WHEREAS, Max Horn, for Idella R. Koechel, owner, filed July 31, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district for a term of two (2) years the parking and storage of more than five (5) motor vehicles; premises 170 Beach 105th street, northeast corner of Shore Front parkway (Block No. 643, Lot Nos. 10, 17 and 18), Rockaway Beach, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 21, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Shore Front parkway is in a residence use district; Rockaway Beach boulevard is in a business use district; Beach 104th and Beach 105th streets are each in a residence and business use district; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 6142-42, dated July 7, 1941 and amended June 16, 1942, reads:

"1. The parking and storage of motor vehicles in a residence use district is contrary to Art. 2, Sec. 3 of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 150 ft. on Beach 105th street and 100 ft.

on Shore Front parkway. It is proposed to use the plot, for a term of two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so stored or parked and only motor vehicles in condition for operation; that the plot shall be leveled substantially to the grade of Beach 105th street and shall be adequately surfaced; that adequate fences shall be maintained on all lot lines including the woven wire fence separating the lot from Shore Front parkway; that the entrance shall be solely from Beach 105th street; that such entrance shall not exceed 15 ft. in width with a curb cut opposite not exceeding such width; that during the term of this permit, the premises shall be occupied for no other use and no building shall be erected thereon; that no signs shall be displayed except there may be one sign attached to the fence advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft. in area, is not illuminated and does not extend beyond the building line; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution.

1101-41-BZ.

APPLICANT—Louis A. Kiesewetter, for The Texas Company, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, the reconstruction of an existing gasoline service station.

PREMISES AFFECTED—451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1101-41-BZ)

WHEREAS, Louis A. Kiesewetter, for the Texas Company, owner, filed on December 23, 1941, an application under section 7c of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, the reconstruction of an existing gasoline service station; premises 451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 21, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Bedford avenue is in a business use district; and Flushing avenue and Wallabout and Lynch streets are in an unrestricted and business use district; and

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WHEREAS, the decision of the borough superintendent on N.B. Applic. No. 2422-41, dated December 18, 1941, reads:

"1. The erection of a new building to be used as the office of a gasoline service station, lubritorium and auto laundry on a gasoline service station partly in a business area district (extending into an unrestricted use district) is prohibited by Art. 11, Section 4a (46) of the building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 140 ft. on Bedford avenue, 72 ft. 1 in. on Flushing avenue and a distance of 125 ft. along the northerly lot line. An irregular shaped area at the northeasterly part of the plot extends for a distance of approximately 25 ft. into an unrestricted use district—the remainder of the plot is in a business use district. It is proposed to remove the building now on the site, to rearrange the gasoline station and to erect upon the plot an accessory building, 66 ft. by 48 ft. 3 in., irregular in area; and

WHEREAS, the premises and the surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted, under section 7c thereof, to permit the rearrangement and reconstruction of the legally existing gasoline service station substantially as indicated on revised plans marked "Received July 17, 1942", on condition that all existing buildings and uses, including tanks, shall be removed; that the new accessory building shall be erected toward the easterly portion of the plot as indicated on such plan; that such accessory building shall be constructed of incombustible materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling throughout is fire-retarded in accordance with the Rules of the Board; that no openings shall be constructed or maintained on the lot line walls of adjoining premises; that the heater room shall be separated from the balance of the building with fireproof materials, and shall be enterable only from the exterior; that the greasing racks shall be only of the hydraulic type; that pumps shall be located not nearer than 12 ft. from Flushing avenue and 15 ft. from Bedford avenue; that curb cuts shall be restricted to those indicated on such plan, consisting of two to Flushing avenue and three to Bedford avenue; that a masonry wall not less than six (6) ft. in height shall be constructed at the northerly lot line from the existing building on adjoining premises to Bedford avenue, and a similar wall shall be erected from the accessory building to the street line of Flushing avenue or the wall of the building on the adjoining lot shall be faced to a height of 6 ft.; that a semi-circular or triangular block of concrete shall be maintained at the intersection of the building line for a distance of not less than five (5) ft. along each street; that the balance of the premises where not occupied by accessory building, pumps and planting, as shown, shall be cement paved or paved with Colprovia or other suitable impervious material; that no signs shall be erected on the premises, except that there may be a permanent sign attached to the accessory building, and signs on the illuminated globes of pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line near the intersection of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than four (4) ft.; that any lights for general illumination shall be on post standards not over 2 ft. in height; that the gasoline storage tanks shall be restricted to six, each of 1,000 gallon capacity as permitted by the Board this day under Cal. No. 481-42-A; that no motor vehicle repairing shall be permitted on the premises;

that there shall be no parking of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that all permits shall be obtained and all work completed within two (2) years from the date of this resolution.

10-42-BZ.

APPLICANT—Frank C. Keller, for Lina S. Kissam, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7f of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, Lot Nos. 37 and 45 and Block No. 10789, Lot Nos. 37, 38 and 43), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (10-42-BZ)

WHEREAS, Frank C. Keller, for Lina S. Kissam, owner, filed January 5, 1942, an application under section 7f of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, Lot Nos. 37 and 45, Block No. 10789, Lot Nos. 38, 37 and 43), Queens Village, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 21, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Jamaica avenue is in a business use district; 96th avenue is in a business and unrestricted use district; 97th avenue is in an unrestricted use district; 220th street is in a residence and business use district; and 221st street is in an unrestricted, business and residence use district; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 6635-41, dated December 15, 1941, reads:

"1. The storage and parking of more than (5) motor vehicles within a business district is contrary to Art. 2, Section 4 of the zoning law."

and

WHEREAS, the premises, part of a larger parcel of property, consist of a plot of ground having a frontage of 52 ft. on Jamaica avenue, a distance of 198 ft. along the southerly lot line, 280 ft. along the westerly lot lines and 323 ft. along the easterly lot lines. A part of the plot is in the bed of (proposed) 96th avenue. That portion of the plot north of 96th avenue is in a business use district and that portion of the plot south of 96th avenue is in an unrestricted use district. It is proposed to use the plot, for a term of two years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

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Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years, to permit the portion of the premises within the business use district to be occupied for parking and storage of more than five (5) motor vehicles in connection with the premises on the same lot and on Lot 38 and within the bed of 96th avenue between the side lot lines as permitted under Cal. No. 11-42-A, on condition that such premises shall be leveled substantially to the grade of Jamaica avenue; that the premises shall be operated in conjunction with the gasoline service station on the portion of Lot 37; that the plot shall be surfaced with clean gravel, steam cinders or other suitable material properly rolled and treated with a binder; that adequate fences shall be maintained on the interior and rear lot lines; that during the term of this permit, the premises shall be occupied for no other use than as herein permitted; that no signs shall be erected on the premises, except there may be a sign erected near the Jamaica avenue building line advertising the parking and storage use and the rates charged, provided such sign does not extend beyond the building line and does not exceed 15 sq. ft. in area and is not illuminated; that such portable fire-fighting appliances shall be maintained and kept within the gasoline station office as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

177-42-BZ.

APPLICANT—Lama and Proskauer, for John F. McKenna, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—582-610 86th street, southeast corner of Gatling place (Block No. 6054, Lot Nos. 19, 20, 22 and 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and John F. McKenna.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (177-42-BZ)

WHEREAS, Lama and Proskauer, for John F. McKenna, owner, filed March 4, 1942, an application under section 7h of the zoning resolution, to permit partly in a business use district and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 582-610 86th street, southeast corner of Gatling place (Block No. 6054, Lot Nos. 19, 20, 22 and 27), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 21, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS the use district maps accompanying the zoning resolution show that 86th street is in a business use district; Gatling place and Dahlgren place are in a residence and business use district, and 88th street is in a residence use district; and

WHEREAS, the decision of the borough superintendent on B. N. Applic. No. 357-42, dated March 2, 1942, reads:

"1. The existing legal occupancy of this plot is the sale of used cars on that portion in the business use district, with that portion in the residence use district left vacant.

2. Proposed use of plot, partially in a residence area partially in a business use district, for the storage and parking of more than five motor vehicles is contrary to Art. 11, Sec. 3 and Art. 11, Sec. 4a (15) respectively, of the building zone resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 251 ft. on 86th street, 189 ft. on Gatling place and 158 ft. on Dahlgren place. The south part of the plot (having a frontage of 89 ft. on Gatling Place) is in a residence use district, the remainder is in a business use district. It is proposed to use the plot, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of two (2) years from the date of this resolution, to permit the premises located in the business use district to be occupied for the parking and storage of more than five (5) motor vehicles, on condition that only those of the pleasure car type and those cars capable of operation shall be so stored or parked; that the premises shall be leveled substantially to the grade of 86th street and surfaced with steam cinders, clean gravel or other suitable material, properly treated with an asphalt binder so as to render a reasonably impervious surface and graded to provide surface drainage; that on the street building line there shall be constructed a continuous woven wire or wood fence, not less than 6 feet in height, with no openings therein except one from 86th street toward the westerly end, as indicated on plans filed with this application, with curb cut opposite such entrance not exceeding 15 ft. in width; that adequate bumpers shall be maintained against such fence and also on the line of the zoning, so as to preclude motor vehicles being parked within the residential use area; that no buildings shall be erected on the premises, except there may be erected near the corner of 86th street and Gatling place a building, solely for use as a shelter and office for the attendant, provided such building does not exceed 150 sq. ft. in area or one story in height; that this building may be of frame; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that adequate aisles shall be maintained at all times for easy entrance and egress; that no signs shall be erected on the premises, except there may be a sign attached to the fence advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft. in area, is not illuminated and does not extend beyond the building line; that all existing signs and uses shall be removed other than the use here permitted; that any lights for general illumination shall be on steel pipe standards not over 12 ft. in height above grade, fitted with metallic reflectors so arranged as to reflect away from adjoining residential occupancies; that a new certificate of occupancy shall be obtained superseding the previous certificate of occupancy issued for a use now discontinued; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

371-42-BZ.

APPLICANT—Paul Friedman, for Underwriters Trust Company (as trustee), owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7f and 7h of the zoning

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resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—6301-6323 11th avenue, east side, from 63rd to 64th streets, 1102-1112 63rd street and 1101-1111 64th street (Block No. 5738, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: Emil P. Grossi, Frank B. Di Giovanna, Tony Calabrese, Louise Somani, George H. Meehan, F. X. Kraemer, Cornelia Leystein, Anthony J. Abragona, D. P. Sanfilippo, and G. Goldman, Board of Education.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (371-42-BZ)

WHEREAS, Paul Friedman, for Underwriters Trust Company (as trustee), owner, filed May 7, 1942, an application under sections 7f and 7h of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 6301-6323 11th avenue, east side, from 63rd to 64th streets; 1102-1112 63rd street and 1101-1111 64th street (Block No. 5738, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 21, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 11th avenue is in a business use district 63rd and 64th streets are in a residence and business use district; and

WHEREAS, the decision of the borough superintendent, on B. N. Applic. No. 953-42, dated April 24, 1942, reads:

"1. Parking and storage of more than five cars in a business use district is contrary to Art. II, Sect. 4, Para. 15, zoning resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on 11th avenue, 100 ft. on 63rd street 100 ft. on 64th street. It is proposed to use the plot, for a term of two (2) years for parking and storage of more than five motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivisions f and h of the zoning resolution.

Resolved, that the decision of the borough superintendent, on B. N. Applic. No. 953-42, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

APPEALS FROM ADMINISTRATIVE DECISIONS.

11-42-A.

APPLICANT—Frank C. Keller for Lina S. Kissam, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—220-20 Jamaica avenue, south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, parts of Lot Nos. 37 and 45 and Block No. 10789, Lot Nos. 38 and 43), Queens Village, Borough of Queens (under section 35, General City Law re bed of mapped street—proposed 96th avenue).

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (11-42-A)

WHEREAS, Frank C. Keller, for Lina S. Kissam, owner, filed January 5, 1942, an application, pursuant to section 35 of the General City Law, for permission to use premises in the bed of a mapped street (96th avenue) affecting premises 220-20 Jamaica avenue south side, 481.92 ft. east of Springfield boulevard (Block No. 10793, part of Lots 37 and 45 and Block No. 10789, Lot Nos. 38 and 43), Queens Village, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated January 6, 1942, on Misc. Applic. 6635-41, reads:

"2. Secure approval of Board of Standards and Appeals for the use of that portion of the plot within the bed of a mapped street, as per section 35, article 3 of the General City laws."

and

WHEREAS, the applicant states that the premises consist of a plot 51.78 ft. on Jamaica avenue, located partly in a business and partly in an unrestricted district, proposed to be used for the parking and storage of more than five (5) motor vehicles, as described in application for a building zone variance submitted to the Board under Cal. No. 10-42-BZ; and

WHEREAS, the applicant contends that it is desired to use portion of the plot in the bed of 96th avenue, as proposed for the parking and storage of more than five motor vehicles; that it is agreed to use the bed of 96th avenue only until the street is approved by the city; that at no time will there be any improvements made by the applicant on this portion of the plot; that since there is no egress to the unrestricted portion of the plot, it is requested this application be granted so as to give access thereto; and

WHEREAS, the Board has been advised by the City Planning Commission that 219th place has been erroneously designated on sectional map 15 as 218th place. 219th place, 96th avenue and 221st street were laid out on the City Map at a width of 50 feet on June 10, 1926. Title has not been acquired in these streets nor are there any proceedings pending for their acquisition; and

WHEREAS, the Board has been advised by the President of the Borough of Queens that the City has never acquired title either by condemnation or cession to 96th avenue nor has the Corporation Counsel ever been requested to advise concerning the dedication to public use of any of these streets and that no proceedings for their acquisition have been initiated; and

WHEREAS, under date of July 11, 1942, the Borough Superintendent of the Department of Buildings, Queens, advised the Board that there is no record of the erection of the buildings at 219-44-48-50 Jamaica avenue, as shown on the plot diagram filed by the applicant with building zone application 10-42-BZ.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 6635-41, Obj. No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers granted the Board under section 35 of the General City Law, to permit that portion of proposed 96th avenue within the side lot lines of Lots 37 and 38 as extended, in accordance with the permission of the variance granted this day under Cal. No. 10-42-BZ, *on condition* that in the event the land is acquired for such avenue, no claim shall be made for any use of the premises as permitted under Cal. No. 10-42-BZ above the valuation of the land itself; that this variance is to be contemporaneous with the permission as granted under Cal. No. 10-42-BZ.

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481-42-A.

APPLICANT—Louis A. Kiesewetter, for The Texas Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (481-42-A)

WHEREAS, Louis A. Kiesewetter, for The Texas Company, owner, filed June 16, 1942, an appeal from a decision of the borough superintendent; premises, 451-457 Flushing avenue and 713-721 Bedford avenue northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 8, 1942, on Misc. Applic. No. 8922-41, reads:

"1. Proposal to install six 1000 gallon gasoline tanks is contrary to Sect. 19-65.0 of the Adm. Code."

and

WHEREAS, the applicant states that the premises consist of a plot 72 ft. 1 in. and 140 ft. by 124 ft. 9 in. and 125 ft., irregular in area; located in a business use, D area district, occupied as a gasoline service station, which it is proposed to reconstruct as indicated on plans filed with Cal. No. 1101-41-BZ filed with the Board for a variation of the requirements of the zoning resolution; and

WHEREAS, the applicant contends that at present there are eight 550 gallon gasoline tanks installed on the premises, which it is proposed to remove or permanently seal; that this location is a large plot with a high gallonage sale in normal times; that to install twelve 550 gallon tanks would involve considerable manifolding of suction lines and it is felt the use of six 1,000 gallon tanks, as proposed, will reduce the potential hazard; that all requirements of the Administrative Code will be complied with except the capacity of the tanks, and that the construction of the tanks will comply with the requirements of the Oil Burner Rules of the Board of Standards and Appeals for fuel oil storage tanks.

Resolved, that the decision of the borough superintendent, acting on Misc. Applic. No. 8922-41, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the construction of the tanks shall comply with the requirements of the Oil Burner Rules of the Board for similar tanks for storage of fuel oil; that in all other respects the installation shall comply with the requirements of the Administrative Code therefor; and that the requirements of the resolution adopted by the Board this day under Cal. No. 1101-41-BZ shall be complied with in all respects.

575-42-S.

APPLICANT—The Metal Etching Corporation, owner.

SUBJECT—Application for Variation of the Labor Law, as cited in an order and decision of the fire commissioner.

PREMISES AFFECTED—83-02 to 83-12 Atlantic avenue and 94-01 to 94-11 83rd street, southeast corner (Block No. 9014, Lot No. 1), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Larry Meltzer, Joseph F. Farrell, Maurice Herrman and F. Nusbaum.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (575-42-S)

WHEREAS, The Metal Etching Corporation, owner, filed July 16, 1942, an application for variation of the Labor Law, as cited in an order and a decision of the fire commissioner, premises 83-02 to 83-12 Atlantic avenue and 94-01 to 94-11 83rd street, southeast corner (Block No. 9014, Lot No. 1), Ozone Park, Borough of Queens; and

WHEREAS, Order No. 8464-LF, issued by the Fire Commissioner April 8, 1942, reads:

"1. Arrange all exterior doors on the 1st story to be unlocked from both sides during working hours."

and

WHEREAS, this order was referred to in a decision of the fire commissioner dated July 16, 1942; and

WHEREAS, the applicant states the building is two stories (approx. 30 ft.) in height, 100 ft. by 120 ft. in area; of Class 3 construction; erected in 1910; located in a residence district and occupied: 1st floor, mfg. metal parts, 100 persons; 2nd floor, mfg. metal parts and offices, 15 persons; the building is equipped with a sprinkler system, an interior fire alarm system, fire drills are maintained; there are two interior stairs of wood construction enclosed in wood partitions with no doors; the front stairway is 6 ft. in width and the rear stairway 5 ft. in width. None of these stairways leads to the roof. Certificate of Occupancy 26674 issued July 2, 1942, permits the use of the cellar for storage; 1st floor, for factory, 90 persons; 2nd floor, factory, 60 persons; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in Order No. 8464-LF issued by the Fire Commissioner, and that the application be and it hereby is *granted* as to Objection No. 1, *on condition* that only such doors shall be equipped with panic bolts as are described, namely one to Atlantic avenue toward the easterly end and one to 83d street toward the southerly end; that such panic bolts shall be of an approved type; that the other doorway openings to the building shall remain openable both from the exterior and interior at all times; that this variance shall continue only during the present war emergency.

Adjourned: 1:15 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, JULY 21, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

222-34-BZ.

APPLICANT—Lama and Proskauer, for Nathan Ossip, present owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re decision of the borough superintendent—re Application, previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

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PREMISES AFFECTED—Southeast corner of Hillside avenue and Little Neck parkway (Block No. 4523, Lot No. 51), Floral Park, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Request to reopen to amend resolution as to sign, withdrawn by applicant after argument.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

86-37-BZ.

APPLICANT—Kim Parking Stations, Incorporated (lessee), for John A. Weser, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, for a period of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—146-148 West 31st street, south side, 200 ft. east of Seventh avenue (Block No. 806, Lot Nos. 68 and 69), Borough of Manhattan.

APPEARANCES—

For Applicant: Manuel Rosenstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (86-37-BZ)

WHEREAS, Keystone Parking Station, for John A. Weser, et al, owners, filed March 3, 1937, an application under the building zone resolution, to permit in a retail use district the parking or storage of more than five (5) motor vehicles; premises 146-148 West 31st street, south side, 200 ft. 6 in. east of Seventh avenue (Block No. 806, Lot Nos. 68 and 69), Borough of Manhattan; and

WHEREAS, this application was granted June 2, 1937 on certain conditions, time extended May 28, 1940 and owner requested a further extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted May 28, 1940, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"Granted under section 7h thereof, for a term of two (2) years from the date of this amended resolution, permitting. . ."

700-41-BZ.

APPLICANT—Lama and Proskauer, for Rudolph P. Bolter and Herman H. Schierloh, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—9317-9333 Third avenue and 301-311 94th street, northeast corner (Block No. 6107, Lot Nos. 1, 5 and 67), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (700-41-BZ)

WHEREAS, Lama and Proskauer, for Rudolph P. Bolter and Herman H. Schierloh, owners, filed July 29, 1941, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than 5 motor vehicles; premises 9317-9333 Third avenue and 301-311 94th street, northeast corner (Block No. 6107, Lot Nos. 1, 5 and 67), Borough of Brooklyn, and

WHEREAS, this application was granted February 24, 1942, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted February 24, 1942, by adding thereto:

"that the existing wood fence may be maintained in lieu of the fencing herein before required, provided such fencing is kept in good repair and kept painted; that no signs shall be permitted to be attached thereto, other than as herein before permitted."

APPEALS FROM ADMINISTRATIVE DECISIONS.

359-42-S.

APPLICANT—William Welge, for Marie L. Welge, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—365 Wythe avenue, east side, 77 ft. 2 in. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Welge.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 15, 1942, at 2 P. M., for inspection by a Committee of the Board and decision without further argument.

360-42-A.

APPLICANT—William Welge, for Marie Welge, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—365 Wythe avenue, east side, 77 ft. 2 in. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Welge.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 15, 1942, at 2 P. M. for inspection by a Committee of the Board and decision without further argument.

401-42-S.

APPLICANT—S. Walter Katz, for The Gerry Estates, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: S. Walter Katz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

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ACTION OF BOARD—Placed on Reserve Calendar, date to be set for hearing on same date as Cal. No. 408-42-BZ.

407-42-A.

APPLICANT—Arthur Weiser, for 28th Properties, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 28, 1942, at 2 P. M., at request of applicant.

445-42-A.

APPLICANT—Hotel Park View, Inc., lessee, for Mutual Life Insurance Co., owner.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—208-210 West 56th street, south side, 122 ft. 7 in. east of Broadway (Block No. 1027, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: John B. Lynch.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Laid over to July 23, 1942, at 10 A. M., at request of Applicant.

529-42-A.

APPLICANT—Sidney L. Strauss, for Clarostat Manufacturing Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42-44-45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 15, 1942, at 2 P. M., for inspection by a Committee of the Board.

579-42-A.

APPLICANT—General Aircraft Corporation, lessee, for Steinway and Sons, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—22-52 45th street and south side, of Ditmars boulevard, from 43rd street to 45th street (Block No. 782, Lot Nos. 1, 25, 26, 47 and 48), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: John Maynard, Harold Bortles and J. M. Heller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Chas. E. Johnson, Fire Dep't.

ACTION OF BOARD—Laid over to July 23, 1942, at 10 A. M., for further consideration by the Board.

991-41-A.

APPLICANT—Jacob Lubroth, for Janet R. Steinberg, owner.

SUBJECT—Appeal reopened and restored to calendar May 19, 1942, re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—1474 Ocean parkway, west side, 280 ft. north of Avenue O (Block No. 6587, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Lubroth and N. R. Kaplan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn. Applicant to obtain proper decision from borough superintendent.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

438-42-A.

APPLICANT—Wood, Cooke and Seitz, for Brooklyn Eye and Ear Hospital, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—372-380 Carlton avenue, 313-321 Cumberland street and 21-23 Greene avenue, north side, between Carlton avenue and Cumberland street (Block No. 2119, Lot Nos. 1 to 5, inclusive, and Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Elliott W. Smith.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn after argument at request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

333-42-A.

APPLICANT—Roy Clinton Morris, for 19 East 60th Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—19 East 60th street, north side, 95 ft. west of Madison avenue (Block No. 1375, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: Roy Clinton Morris.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (333-42-A)

WHEREAS, Roy Clinton Morris, for 19 East 60th Street Corporation, owner, filed April 22, 1942, an appeal from a decision of the borough superintendent affecting premises 19 East 60th street north side, 95 ft. west of Madison avenue (Block No. 1375, Lot No. 13), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated March 27, 1942, on Alt. Applic. No. 397-42, reads:

"A2. New apartment does not conform with Sec. 172, Multiple Dwelling Law."

and

WHEREAS, the Board is without power to grant the modification of the Multiple Dwelling Law requested; and

WHEREAS, the applicant requested withdrawal of this appeal.

Resolved, that the appeal be and it hereby is *withdrawn*.

355-42-A.

APPLICANT—Jno. B. Snook Sons—Victor C. Farrar, for Estate of Charles Frederick Hoffman, Incorporated, owner.

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SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—350-354½ Greenwich street, northwest corner of Harrison street (Block No. 183, Lot Nos. 15 and 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas E. Stanley and Fredk. W. Monckmeyer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (355-42-A)

WHEREAS, Jno. B. Snook and Sons—Victor C. Farrar, for Estate of Charles Frederick Hoffman, Inc., owner, filed on April 29, 1942, an appeal from a decision of the borough superintendent affecting premises 350 and 354½ Greenwich street, northwest corner of Harrison street (Block No. 183, Lot Nos. 15 and 17), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated April 24, 1942 on Alt. Applic. No. 3164-40, reads:

"4. Marquise should comply with Sec. 2.4.1.4.8 Building Code."

and

WHEREAS, the applicant states that the building is five stories and cellar (60 ft.) in height, 75 ft. 5 in. by 77 ft. 5 in. in area at first floor, 75 ft. 5 in. by 66 ft. in area at typical floor, of Class 3 construction; erected 1878; located in an unrestricted use district and used and occupied as follows: cellar, storage; first floor, store, 75 persons; second floor, storage and manufacturing radio parts, 6 persons; third floor, storage and manufacturing radio parts, 2 persons; fourth floor, storage and manufacturing radio parts, 12 persons; fifth floor, storage and manufacturing radio parts, 2 persons. No change in use or occupancy is proposed; and

WHEREAS, Certificate of Occupancy No. 19657 issued May 29, 1934, permits the use of the first floor as restaurant, 75 persons; second floor, offices and factory, 6 persons; third floor, factory, four persons; fourth floor, factory, 14 persons; fifth floor, factory, 2 persons; and

WHEREAS, the applicant contends that the existing sidewalk awning composed partly of incombustible materials is in a safe and sound condition and permission is requested to maintain same during the present emergency, due to the fact that it is practically impossible at this time to obtain the necessary steel work for the erection of a new awning in view of the priority regulations.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 3164-40, Obj. No. 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the marquise shall be maintained in structurally safe condition satisfactory to the borough superintendent and shall be replaced to meet the Code requirements for construction within two (2) years and *granted* only so long as the street floor is occupied by a dealer in produce.

358-42-A.

APPLICANT—Henry Weil, for Dinmar Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—71 Broome street, south side, 50.4 ft. west of Cannon street (Block No. 331, Lot No. 42), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry Weil.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (358-42-A)

WHEREAS, Henry Weil, for Dinmar Realty Corporation, owner, filed on April 30, 1942, an appeal from a decision of the borough superintendent affecting premises 71 Broome street, south side, 50.4 ft. west of Cannon street (Block No. 331, Lot No. 42), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated April 28, 1942, on amendment to Alt. Applic. 1329-37 reads:

"4. Windows should be ¾ hour f.p.s.c. with fusible links if they open and should open in. Sec. 10.7.11 B.C."

and

WHEREAS, the applicant states that the building is five stories (55 ft.) in height, 20 ft. 10 in. by 48 ft. in area, of Class 3 construction, erected prior to 1890, located in a residence D area district and occupied: cellar, boiler room and storage, 1st floor, store, 2nd floor to 5th floor, dwellings, 2 families per floor; and

WHEREAS, Violation No. 357-40 was issued April 9, 1940 for failing to install one hour test fireproof doors at entrances from public hall to apartments as called for in approved plans No. 1329-37 and window openings on 2nd, 3rd, 4th and 5th floors cut in west wall contrary to approved plans; and

WHEREAS, the applicant contends that an amendment was filed requesting reconsideration of the borough superintendent's requirements that all windows in the west wall be replaced with ¾ hour fire resistive window frames; that reconsideration was requested because of priorities, it is impossible to get ¾ hour test windows and it was therefore proposed to cover existing new wood frames and sash with metal and to make windows self-closing glazed with wire glass; that this request was denied and the Board is asked to consider the application for a variance in this case.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1329-37, Obj. No. 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the windows are made to conform with the requirements within two (2) years from the date of this resolution and so long as no building is erected on the adjoining premises, now vacant, within twenty feet.

386-42-A.

APPLICANT—Matthew W. Del Gaudio, for Richmond H. Shreve, Chief Architect, Board of Design, for Metropolitan Life Insurance Company, owner (R. H. Macy and Company, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1447 Metropolitan avenue, west side, 580 ft. north of McGraw avenue (Block No. 3937, part of Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Matthew W. Del Gaudio.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (386-42-A)

WHEREAS, Matthew W. Del Gaudio, for Metropolitan Life Insurance Co., owner (R. H. Macy & Co., Inc., lessee), filed on May 8, 1942, an appeal from a decision of the borough superintendent affecting premises 1447 Metro-

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politan avenue, west side, 580 ft. north of McGraw avenue (Block No. 3937, Part of Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated April 16, 1942 on E. S. Applic. 304-41 reads:

"3. The payment of fee for the issuance of a permit for an illuminated sign located over a paved court, is required under Section B26-8.0 of the Administrative Code."

and

WHEREAS, the applicant states that the building is 8 stories and basement (90 ft. 3 in.) in height, 299 ft. 6-7/16 in. by 73 ft. in area at typical floor, 335.9 ft. by 73 ft. in area at 1st floor, of Class 1 construction, equipped with a sprinkler system in the store portion and standpipe system throughout, located in a retail use district, erected in 1941 and occupied as follows: cellar, department store, 712 persons; basement, department store, 800 persons; 1st floor, apartments and offices, 200 persons; 2nd to 8th floors, inclusive, apartments; and

WHEREAS, Violation No. 3169-41 was issued November 7, 1941 for maintaining seven illuminated signs without having obtained permits from the Department of Housing and Buildings; and

WHEREAS, the applicant contends that Section C26-5, paragraph 2 of the Administrative Code states that "the term illuminated sign shall mean and include any sign which extends over a sidewalk and which is illuminated by electricity or gas." It is contended that a sidewalk is that part of a public thoroughfare reserved for unrestricted pedestrian traffic, part of the city street system, access to all parts of which may not be impeded without a permit from the City of New York; that in the application herein, the area involved is a paved court or yard located within the property line, which, although accessible from a public thoroughfare, is strictly private property; that these paved courts or yards are not sidewalks within the meaning of the Administrative Code and therefore fees for the issuance of permits for the erection of signs located over such paved courts or yards are not required; and

WHEREAS, in the opinion of the Board no fee is required under section B26-8.0 of the Administrative Code unless the sign is an illuminated sign as defined in section B26-5.0 paragraph 2; that the signs in question in not extending beyond the street line (building line) do not fall within such definition.

Resolved, that the decision of the borough superintendent, acting on E. S. Applic. No. 304-41, Objection No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no portion of the illuminated sign shall extend beyond the building line and that proper permits shall be obtained for the construction of such sign.

387-42-A.

APPLICANT—Matthew W. Del Gaudio, for Richmond H. Shreve, Chief Architect, Board of Design, for Metropolitan Life Insurance Company, owner (R. H. Macy & Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1440 West avenue, west side, 312.55 ft. north of McGraw avenue (Block No. 3937, part of Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Matthew W. Del Gaudio.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (387-42-A)

WHEREAS, Matthew W. Del Gaudio, for Metropolitan Life Insurance Co., owner (R. H. Macy & Co., Inc., lessee) filed on May 8, 1942, an appeal from a decision of the borough superintendent affecting premises 1440 West avenue, west side, 312.55 ft. north of McGraw avenue (Block No. 3937, Part of Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated April 16, 1942 on E.S. Applic. No. 298-41 reads:

"3. The payment of fee for the issuance of a permit for an illuminated sign on private property is required under Sec. B26-8.0 of the Administrative Code."

and

WHEREAS, the applicant states that the building is 8 stories, basement and cellar (90 ft. 3 in.) in height, 335.9 ft. by 73 ft. in area at first floor, 299 ft. 6 7/16 in. by 73 ft. in area at typical floor, of Class 1 construction, erected in 1941, located in a retail use district, equipped with a standpipe system throughout and a sprinkler system in the store portion and occupied: cellar, department store, 712 persons; basement, department store, 800 persons, 1st floor, offices and apartments, 2nd floor to 8th floors, inclusive, apartments; and

WHEREAS, Violation No. 3169-41 was issued November 7, 1941 for maintaining seven illuminated signs without having obtained permits from the Building Department; and

WHEREAS, the applicant contends that Section C26-5, paragraph 2 of the Administrative Code states that "the term illuminated sign shall mean and include any sign which extends over a sidewalk and which is illuminated by electricity or gas." It is contended that a sidewalk is that part of a public thoroughfare reserved for unrestricted pedestrian traffic, part of the city street system, access to all parts of which may not be impeded without a permit from the City of New York; that in the application herein, the area involved is a paved court or yard located within the property line, which, although accessible from a public thoroughfare, is strictly private property; that these paved courts or yards are not sidewalks within the meaning of the Administrative Code and therefore fees for the issuance of permits for the erection of signs located over such paved courts or yards are not required; and

WHEREAS, in the opinion of the Board, no fee is required under section B26-8.0 of the Administrative Code, unless the sign is an illuminated sign as defined in section B26-5.0, paragraph 2; that the signs in question in not extending beyond the street line (building line) do not fall within such definition.

Resolved, that the decision of the borough superintendent, acting on E. S. Applic. No. 298-41, Objection No. 3 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no portion of the illuminated sign shall extend beyond the building line and that proper permits shall be obtained for the construction of such sign.

391-42-A.

APPLICANT—Joseph Lau, for S. K. Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—719-725 West 181st street and 2-8 Bennett avenue, northwest corner (Block No. 2180, Lot No. 80), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

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THE RESOLUTION (391-42-A)

WHEREAS, Joseph Lau, for S. K. Holding Corporation, owner, filed May 12, 1942, an appeal from a decision of the borough superintendent affecting premises 719-725 West 181st street and 2-8 Bennett avenue, northwest corner (Block No. 2180, Lot No. 80), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated April 30, 1942, on Misc. Applic. No. 1042-42, reads:

"1. Plan shows a direct method of refrigeration, which is contrary to C19-98 subd. b Adm. Code."

and
WHEREAS, the applicant states that the building is 2 stories (35 ft.) in height, 102 ft. 2 $\frac{3}{8}$ in. by 100 ft. in area, of Class 3 construction, located in a business use district, erected in 1928 and occupied as follows: cellar, storage, 5 persons; 1st floor, stores and bakery, 50 persons; mezzanine, meeting room of club, 75 persons; 2nd floor, meeting room of club and office, 400 persons. No change in use or occupancy is proposed; and

WHEREAS, Fire Department Order No. 25879-LC, issued by the fire commissioner April 8, 1941, reads:

"Before a permit may be issued for you to operate or maintain a refrigerating plant, the following must be done;

File plans showing the complete installation and location of the refrigerating system and have same approved by the Department of Housing and Buildings."

and
WHEREAS, the applicant contends that F. P. Applic. No. 1042-42 filed with the borough superintendent, provides for the installation of air conditioning and refrigerating system on the 2nd floor and was filed to comply with Fire Department Order No. 25879-LC; that the refrigerating machinery is located in a separate room on the 2nd floor, enclosed by partitions covered on both sides with metal lath and $\frac{3}{4}$ in. cement plaster and vapor-proofed on the inside; that the access doors are fireproof, self-closing and made vapor-proof; that the room is ventilated by mechanical means directly to the roof; that the refrigerating apparatus consists of 1 Buffalo Forge PC central conditioning unit, one 3 H. P. constant speed motor, one Bank of cooling coils of deoxidized copper, 3 Universal refrigeration machines equipped with 10 H. P. motors with high and low pressure cutouts, an automatic electric temperature control system for hand or automatic control, necessary automatic thermal expansion valves, automatic solenoid valves for control of flow of refrigerant, safety pressure relief valves, 50 pounds of Freen refrigerant for each of the three Universal refrigeration machines; that a modification of the requirements of the Administrative Code is requested, as the area of the room is so great and the amount of air 10,000 cubic ft. per minute handled by the refrigerating unit would dilute any possible escaping gas and render it harmless; that no open flame is used in the portion of the premises which is air conditioned.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 1042-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that except for the direct method objected, to the system shall comply with all laws, rules and regulations applicable thereto and that in all other respects the building shall comply with all laws, rules and regulations.

428-42-A.

APPLICANT—Mayer Brothers, for Anna Schenk, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—90-41 77th street, east side, 18 ft. north of 91st avenue (Block No. 8956, Lot No. 66), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Samuel W. Ross.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (428-42-A)

WHEREAS, Mayer Brothers, for Anna Schenk, owner, filed May 26, 1942, an appeal from an order of the fire commissioner, premises 90-41 77th street, east side, 18 ft. north of 91st avenue (Block No. 8956, Lot No. 66), Woodhaven, Borough of Queens; and

WHEREAS, Order No. 91425-LC, issued May 14, 1942, reads:

"3. Provide that each boiler, heater, range or stove is connected to a separate flue in a legal chimney. Rule 12, F.O.R."

and

WHEREAS, the applicant states the building is two (2) stories (24 ft.) in height, 17 ft. 9 $\frac{1}{2}$ in. by 60 ft. 1 in. in area; of Class 4 construction; erected in 1921; located in a business district and occupied: Cellar, boilerroom and storage, no persons; 1st floor, dwelling, 1 family; 2nd floor, same, pursuant to C.O. 5578, issued October 26, 1922; and

WHEREAS, the applicant states that the first floor is heated by the American Radiator Ideal Red Flash #1-S-5 and the 2nd floor is heated by the same make boiler, Model #1-S-6, both of these boilers being covered with air cell insulation and steel jackets supplied by the manufacturer; that each boiler is equipped with full size 9"-26 gauge galvanized smoke pipe running into a common smoke breeching; that inlets to breeching are staggered, so that one smoke pipe does not interfere with operation of the other; that smoke breeching is equipped with an approved Automatic balanced draft regulator; that the chimney consists of an 8 x 12 vitreous flue tile surrounded by common red brick, as per requirements of section 11.3 of Building Code; that there are two Miller vaporizing pot type oil burners, one in each furnace with top oil capacity of 9/10th gallons per hour; that oil flow is non-adjustable beyond this point and is controlled by an approved automatic products constant float leveling valve; that maximum oil flow in valve is controlled by a drilled orifice and is not adjustable; that the temperature at the point of entrance with both burners full on does not exceed 450° F; that the carbon dioxide content of gas is 8%; that the fire box draft is maintained and controlled by means of a hot stream automatic balanced draft regulator; that due to the general construction and layout of the building, it is next to impossible to construct an individual chimney to accommodate the second oil burning device; that the heating plants were not disturbed in making the oil installation, but are identically the same as through the many years when they were fired by coal equipment; and

WHEREAS premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 91425-LC, Item No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the installation shall comply with the Oil Burner Rules of the Board.

437-42-A.

APPLICANT—Ferdinand Savignano, for Michael Iemma, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—486 Seventh avenue, west side, 254 ft. 6 in. south of 16th street (Block No. 1056, Lot No. 41), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Goodrich.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (437-42-A)

WHEREAS, Ferdinand Savignano, for Michael Iemma, owner, filed May 28, 1942, an appeal from a decision of the borough superintendent, premises 486 Seventh avenue, west side, 254 ft. 6 in. south of 16th street (Block No. 1056, Lot No. 41), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 26, 1942, re Alt. Applic. 1487-42, reads:

"1. As building was removed from the Tenement House Class under Alt. 1226-37 C. O. 85093, same to comply with sec. 8 M.D.L. as a hereafter erected bldg. Application denied."

and

WHEREAS, the applicant states that the building is 3 stories (33 ft.) in height, 17 ft. 8 in. by 45 ft. in area; of Class 3 construction; located in a business use district; erected in 1901 and used since 1933, as follows: Cellar, ordinary; 1st floor, store and 2 rooms; 2nd floor, dwelling, one family; 3rd floor, same; proposed to be used as follows: cellar, same; 1st floor, store and dwelling, one family; 2nd floor, dwelling, 1 family; 3rd floor, dwelling, 1 family; and

WHEREAS, the applicant contends that the building was originally occupied by one family on each of the 1st, 2nd and 3rd floors; that the previous owner in order not to be required to comply with the M.D.L., made alteration in 1937 under Permit No. 1236-37, changing the occupancy from store and 2 rooms on 1st floor and 1 family on each of the 2nd and 3rd floors, thus removing the building from the jurisdiction of the Housing Division; that the present owner purchased this parcel with the intention of restoring the building to its former classification, and as a fire escape in compliance with sec. 145 of the M.D.L. has been erected at rear of building and all existing plumbing fixtures never were removed and always in use on all floors, including room behind the store, also as store has been vacant for many months, it is proposed to reinstate the occupancy of the 1st floor to that which existed prior to 1937; that Article 7 of the M.D.L. will be complied with. For these reasons it is requested that C. O. 85093, issued November 22, 1937, permitting cellar, ordinary; 1st floor, store; 2nd floor, 1 family; 3rd floor, 1 family, be revoked, as the building has never ceased to be arranged, as intended and designed for occupancy as a multiple dwelling.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1487-42, Obj. No. 1, be and it hereby is modified and that the appeal be and it hereby is granted revoking Certificate of Occupancy No. 85903 upon the completion of the proposed alteration to the first floor substantially as filed under Alt. Applic. No. 1236-37 to restore the building to the Multiple Dwelling class for occupancy for three (3) families and elimination of the store use, on condition that the building shall comply in all respects with all laws, rules and regulations applicable thereto, including the requirements of the Multiple Dwelling Law.

446-42-A.

APPLICANT—Cosmos Dental Products Incorporated, lessee, for 115 West 45th Street Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—115-117 West 45th street, north side, 180 ft. west of Sixth avenue (Block No. 998, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Solton Engel and Edwin Aderer.
For Administration: Charles E. Johnson, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (446-42-A)

WHEREAS, Cosmos Dental Products, Inc. lessee, for 115 West 45th Street Corporation, owner, filed May 29, 1942, an appeal from an order of the fire commissioner affecting premises 115 to 117 West 45th street, north side, 180 ft. west of Sixth avenue (Block No. 998, Lot No. 24), Borough of Manhattan; and

WHEREAS, Order No. 30786-LC, of the fire commissioner, issued May 6, 1942, reads:

"With reference to your application dated March 19, 1942, for a permit to manufacture an inflammable mixture at above location, it is regretted that this department is without power to grant such a permit for the reason:

That, premises are not equipped with the facilities provided therefor by Sec. C19, Art. 9 New York City Administrative Code, which in part requires an approved buried storage system.

Note: Laboratory report on methyl methacrylate shows it has a flashpoint below 65° F. (open cup). Sec. C19-22, Art. 1, (Definition) 'Inflammable mixture, any liquid or any mixture which will emit an inflammable vapor at a temperature below 100° F.' Sec. C19-43, Art. 1 (Definition) 'any oil or liquid that will generate an inflammable vapor at a temperature below 100° F.'

You are therefore, hereby, advised to:

1. Discontinue the manufacture of an inflammable mixture and discontinue the storage of methyl methacrylate on these premises. Sec. C19-58.0, Art. 9, New York City Administrative Code. Sec. C19-11, Art. 1, Administrative Code."

and

WHEREAS, the applicant states that the building is 12 stories (156 ft.) in height; 45 ft. by 100 ft. in area at first floor, 45 ft. by 90 ft. 2 in. in area at typical floor; of Class 1 construction; equipped with a sprinkler system and a standpipe system; erected 1925; located in a retail use district and used and occupied as follows: Cellar, store for blue print and graphic work in conjunction with first story 13 persons on first and cellar story combined; second floor music library, 5 persons; third floor, manufacturing dental supplies, 14 persons; fourth floor rear, manufacturing cosmetics, 2 persons, fourth floor front, school, 3 persons fifth floor, typographers, 15 persons; sixth floor front, store 2 persons; sixth floor rear, offices, 2 persons; seventh floor dental laboratory, 17 persons; eighth floor, typographers, 2 persons; 9th, 10th and 11th floors combined, jewelers printers and dental supplies, 15 persons. Certificate of Occupancy No. 11847, issued 1926 permits the use of the building from second to 12th floors as offices, showroom and factory with 70 persons on each floor; not more than 25% of floor area to be used for manufacturing purposes and

WHEREAS, the applicant contends that the tenant of the third floor is engaged in the manufacture and sale of dental supplies and in this connection, bottles and distributes methyl methacrylate; that at the time of the inspection by the Fire Department, 1400 gallons of this product was stored on the premises; that this amount has since been reduced to 1,000 gallons and the reduction is being constantly maintained; that without this small supply on hand, the business cannot be operated; that a fire resistive vault with ventilation to the outer air and equipped with a 7 in. curb and approved fire door, has been installed for the storage of the material in question; that the methyl methacrylate stored in the fireproof vault is kept in 5 gallon tin containers on steel shelves; and

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WHEREAS, application filed March 19, 1942 for Fire Department permit, was for 1200 gallons of liquid methyl methacrylate and 24,000 lbs. powder methyl methacrylate; and

WHEREAS, Laboratory Report filed in the Fire Department folder indicates flash point of methyl methacrylate to be below 65° F.

Resolved, that the order of the fire commissioner, Order No. 30786-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not over 75 gallons of methyl methacrylate shall be stored on the premises on the third floor; that such material shall be stored as proposed in a ventilated vault separated from the balance of the area; that the material shall be received in not less than 50 gallon drum lots and placed in 5 gallon containers within the vault and from such containers transferred to smaller containers for retail sale; that such 5 gallon container shall meet the requirements of the Administrative Code as to construction and labeling; that the small containers shall also comply with the Code as to labeling and shall not exceed approximately 1 quart in size; that all filling machinery inside the filling room shall be properly grounded.

459-42-A.

APPLICANT—Louis Zirinsky, for Bushwick Building Company, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—445-455 Blake avenue and 318-326 Junius street, northwest corner (Block No. 3763, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis Zirinsky.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (459-42-A)

WHEREAS, Louis Zirinsky, for Bushwick Building Co., Inc., owner, filed an appeal on June 9, 1942, from an order of the fire commissioner, premises 445-455 Blake avenue and 318-326 Junius street, northwest corner (Block No. 3763, Lot No. 46), Borough of Brooklyn; and

WHEREAS, Order No. 7925-LF, issued by the Fire Commissioner January 23, 1942, reads:

"1. Repair or replace the missing shutters with proper iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at north and west sides of building, or other approved protection. Section 291A-2.2.0 Ch. 19, Admin. Code."

and

WHEREAS, the applicant states that the building is five stories (61 ft. 3 in.) in height, 89 ft. 9 in. by 100 ft. in area at 1st floor, 89 ft. 9 in. by 94 ft. in area at typical floor; of Class 3 construction; equipped with a sprinkler system; erected prior to 1916; located in an unrestricted use district and used and occupied throughout as a factory with a maximum occupancy of 50 persons per floor, for which C.O. No. 97902 was issued Sept. 13, 1940 and showed a 75 lb. live load and permitted the use of light manufacturing with no occupants in the building; and

WHEREAS, the applicant contends that the building is equipped with an approved sprinkler system with heads located not more than 4 feet distant from any windows; that the building adjoining to the north is vacant and unoccupied; that applications for priority ratings have been filed to acquire the necessary materials to comply with the order and no priority can be obtained; that the building is

equipped with a fire alarm system; that in view of the fact no hazard exists, it is requested the Board waive the requirements of the Fire Department's order.

Resolved, that the order of the fire commissioner, Order No. 7925-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the required shutters shall be replaced within two (2) years; that the sprinkler system, fire alarm system and fire drills shall be maintained to the satisfaction of the fire commissioner, that there shall be a sprinkler head opposite within four feet of each window involved in the exposure; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that a proper certificate of occupancy shall be obtained, setting forth the permitted occupancy of the building and the legally permitted live load.

463-42-A.

APPLICANT—Anthony M. De Rose, for Bedford Park Amusement Corporation, owner (Benwill Theatre Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2701-2711 Webster avenue, northwest corner of East 195th street (Block No. 3278, Lot No. 48), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. De Rose.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (463-42-A)

WHEREAS, Anthony M. De Rose, for Bedford Park Amusement Corporation, owner (Benwill Theatre Corporation, lessee), filed June 10, 1942, an appeal from a decision of the borough superintendent affecting premises 2701-2711 Webster avenue, northwest corner of East 195th street (Block No. 3278, Lot No. 48), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated June 10, 1942, on Alt. Applic. No. 297-42, reads:

"2. Manufacturing portion of second floor must be able to sustain a live load of 120 lbs. per sq. ft. as per Section 7.3.2.3 of Building Code. Present Certificate of Occupancy allows only 100 lbs. per sq. ft."

and

WHEREAS, the applicant states that the building is two stories (26 ft.) in height; 180 ft. by 26 ft. in area; of Class 3 construction; located in a business use district; erected 1916 and occupied since 1937 as follows: Cellar, boiler room and storage, no persons; first floor, stores; second floor, offices; Proposed to be occupied—cellar, boiler room and storage; first floor, stores; second floor, dress manufacturing and club rooms, 90 persons; and

WHEREAS, Violation No. 281-42 was issued for changing occupancy of second floor from offices to factory and club room without obtaining certificate of occupancy; and

WHEREAS, the applicant contends the building was erected in 1916 and certificate of occupancy issued for theatre, store and club rooms; that in September 1925 certificate was issued for club house on second floor; that in 1931 Certificate of Occupancy No. 97 was issued permitting the use of the second floor as light manufacturing, 45 persons; that in 1937 Certificate No. 33 was issued permitting office use on the second floor, 100 lbs. live load; and

WHEREAS, the applicant further contends the second story has been used for light dress manufacturing since 1937 and it is therefore requested that a posted live load of 100 lbs. be considered by the Board; that it would be a hardship to be compelled to redesign and reinforce the floor construc-

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tion; that the live load requested is more than the code permits for live load for incidental factory work, and the load requested will be a maximum for the use which will obtain on the second floor.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 297-42, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the live load throughout the second floor shall be approved for not less than 100 lbs. per superficial foot; that a new certificate of occupancy shall be issued superseding all previous certificates of occupancy relating to this portion of the building; that the only portion of the second floor to be occupied for light manufacturing shall be that portion toward the south; that free access to the existing stairway leading to Webster avenue with doors leading thereto swinging outwardly, shall be available at all times as well as the existing 4 ft. wide iron stairway leading directly to East 195th street; that the club room to occupy the northerly portion of the second floor shall not be occupied during the hours the factory is occupied; that the doors leading to stairways shall not be less than 3 ft. in width; that the existing wood stairs shall be protected with a fire retarding partition and the space under the stair at the first floor shall be closed up with fire retarding material; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as varied by the Board under Cal. No. 464-42-S and 867-23-A.

464-42-S.

APPLICANT—Anthony M. De Rose, for Bedford Park Amusement Corporation, owner (Benwill Theatre Corporation, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—2701-2711 Webster avenue, northwest corner of East 195th street (Block No. 3278, Lot No. 48), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. De Rose.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (464-42-S)

WHEREAS, Anthony M. De Rose, for Bedford Park Amusement Corporation, owner (Benwill Theatre Corporation, lessee), filed June 10, 1942, an application for variation of the requirements of the Labor Law affecting premises 2701-2711 Webster avenue, northwest corner of East 195th street (Block No. 3278, Lot No. 48), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated June 10, 1942, on Alt. Applic. No. 297-42, reads:

"3. Factory portion of second floor must have two enclosed fireproof stairways remote from each other, as per section 270-3 of Labor Law.

4. Doors leading to stairway must be at least 44 in. as per section 270-5 of Labor Law.

5. Indicate compliance of all provisions of Section 270-4 as to stairway construction."

and

WHEREAS, the applicant states that the building is two stories (26 ft.) in height; 180 ft. by 26 ft. in area; of Class 3 construction; erected 1916, occupied, cellar, boiler room and storage, no persons; first floor, stores; second floor, dress manufacturing and club rooms, 90 persons, for which Certificate of Occupancy No. 97 was issued in 1931 permitting 45 persons on the second floor, light manufacturing, 120 lbs. live load; that the building is equipped with

one interior stairs 47 in. wide of wood construction, enclosed in wood studs, wood lath and plaster partitions equipped with wood doors and one fire escape located at south end of building which does not lead to roof but goes direct to street; that windows on the course of the fire escape are not protected; and

WHEREAS, the applicant states that it is proposed to enclose the interior stair in fire retarded partitions at the first story; and

WHEREAS, the applicant further states that due to the location of elevator structure in front of the building and the character of the neighborhood in general, the second story of this building cannot be rented for a use in compliance with the existing certificate of occupancy; that the club rooms are only occupied in the evenings at a time when the dress manufacturing portion is unoccupied; that the dress manufacturing portion has two stairs which lead direct to street with an occupancy of only 50 persons; that the south stair is 48 in. wide of iron construction and the front stair is 47 in. wide; that both stairs lead direct to street with 3 ft. wide exit doors.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. No. 297-42, Objection Nos. 3, 4 and 5, and that the application be and it hereby is *granted on condition* that the requirements of the resolution adopted this day under Cal. No. 463-42-A shall be complied with and *granted* only so long as the premises are occupied as therein required.

511-42-A.

APPLICANT—Arthur Jovis, for Emidio Milani, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—1660 Hering avenue, east side, 55.03 ft. south of Van Nest avenue (Block No. 4113, Lot No. 64), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur Jovis.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (511-42-A)

WHEREAS, Arthur Jovis, for Emidio Milani, owner, filed on June 25, 1942, an appeal from a decision of the borough superintendent affecting 1660 Hering avenue, east side, 55.03 ft. south of Van Nest avenue (Block No. 4113, Lot No. 64), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated June 3, 1942, on Alt. Applic. No. 1119-41, reads:

"A.9. Provide proper dual means of egress, pursuant to Sec. 187, M.D.L."

and

WHEREAS, the applicant states that the building is two stories and basement (27 ft.) in height; 18 ft. 6 in. by 54 ft. in area; of Class 3 construction; erected 1931; having a roof pitch exceeding 15°; located in a residence use district and occupied, basement, storage and boiler room; first floor, dwelling, one family; second floor, dwelling one family, and a private garage located in the yard. The building is proposed to be occupied, basement, storage, boiler room and dwelling, one family; first floor, dwelling, one family; second floor, dwelling, one family, with private garage located in yard; and

WHEREAS, Violation No. 591 of 1936, issued June 16, 1942 was for changing occupancy of premises from dwelling to a Class A Multiple Dwelling without obtaining a certificate of occupancy; and

MINUTES

WHEREAS, Certificate of Occupancy No. 1102, issued December 18, 1931, permitted the use of the building as 2 family dwelling and private garage; and

WHEREAS, the applicant contends that no dual means of egress is required for a house of the type involved herein as such a building is specifically exempted from the provisions of Section 187 of the Multiple Dwelling Law; and

WHEREAS, the Board deemed that if a scuttle in the roof, even if the roof pitch exceeded 15 degrees, is not provided, the second means of exit is required; that the facts in this case are similar to those in previous appeal No. 137-42-A applying to adjoining dwelling, minutes of hearing concerning which are made part of the appeal.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1119-41, Objection A9, be and it hereby is affirmed and that the appeal be and it hereby is denied.

574-42-A.

APPLICANT—Raymond Irrera, for Anton J. Skokan and Marie Skokan, owners (Krieger Steel Sections, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—11-11 34th avenue, northwest corner of 12th street (Block No. 318, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Raymond Irrera.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (574-42-A)

WHEREAS, Raymond Irrera, for Anton J. and Marie Skokan, owners (Krieger Steel Sections, Inc., lessees), filed July 16, 1942, an appeal from a decision of the borough superintendent, premises 11-11 34th avenue, northwest corner of 12th street (Block No. 318, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 14, 1942, on Alt. Applic. 1310-42, reads:

"1. The extension in frame construction of a frame bldg. located within the fire limits is contrary to Section 4.1.5 of the Bldg. Code."

and

WHEREAS, the applicant states that the building is one story in height, located on a plot 175.82 ft. by 99.75 ft. in area; in an unrestricted district; erected in 1921; of Class 3 and 4 construction; occupied as a factory and garage, 40 persons; proposed to be occupied: 1st floor, factory, office and shipping, 60 persons; 2nd floor, offices, 10 persons; and

WHEREAS, Violation 2363 was issued July 9, 1942, for occupying the structure as an automobile body shop without a certificate of occupancy, and Violation 2749 dated May 9, 1942 for erecting frame second story on existing structure without an approved plan and permit; and

WHEREAS, plan filed with the borough superintendent July 14, 1942, under Alt. Applic. 1310-42, indicates that there is an existing one-story brick factory 56.39 ft. front, 119.78 ft. in depth at the westerly portion of the front of plot, a one-story steel and metal factory building 95 ft. front by 45 ft. in depth, running across the rear of the lot, a one-story frame metal shop and one-story cement block garage, having an open frontage of 44.35 ft. and a depth of 130.82 ft. at the easterly portion of front of lot; and

WHEREAS, the applicant contends that the brick building, approximately 56 ft. by 119 ft. in area was erected in 1940 under N. B. Applic. 7018-40 and the concrete block garage, approximately 23 ft. by 26 ft. was erected in 1925 under N. B. 2101/25; that all of these buildings are used by the

Krieger Steel Sections Inc., lessee of the premises, for war work; that the lessee, having received orders from the War Department to acquire additional office space, erected a frame second-story extension without plans and permits on the building formerly used as a 2-car garage; that the exterior walls of the 1st floor of this building are 8 in. concrete block on sides and rear and brick wall on the front; that the garage was converted to offices after obtaining War Department contracts; that the work on the frame second story extension was stopped by the Building Dept. after the exterior frame walls were erected to a new height and new floor beams installed above the present roof of the garage. It is requested that the lessee be permitted to complete the frame second story extension, covering exterior walls with asbestos shingles in the interest of saving time which is necessary in connection with the war work. The second story will be used as offices having a capacity of ten persons. The floor beams of the 2nd story are to be located above the present roof beams of the garage, supported on the exterior brick and block walls and entirely independent of the present roof. The purpose of this form of construction is so that the second story may be removed at the termination of the present emergency; that the one-story frame and metal shop, which was erected without plans some five years ago and was existing at the time the present lessee took over these premises; this building is used as a shop to construct truck bodies on army chassis for use in the war effort and is substantially erected with heavy timber supports covered on exterior and roof with galvanized iron and sheet metal. All posts are erected on concrete piers. Roof girders rest on wood posts independently of brick wall of existing brick factory building on the west side. Most of the timber used in this building is of long leaf yellow pine and is of good solid construction.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. No. 1310-42, Objection No. 1, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the building shall not be further increased in height or area; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable to a similar building when erected outside of the fire limits; that any openings from this building to the adjoining building under the same controlled occupancy, shall have approved fire doors; that the permission to occupy this building shall continue only during the term of the existing war emergency and for one year thereafter, and upon expiration of such period, the building shall either be completely removed or made to comply with the legal requirements.

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

22-42-SM.

APPLICANT—American Lumber Company, owner.

SUBJECT—Wolmanized Lumber, approval of.

APPEARANCES—

For Applicant: F. W. Gottschalk and G. M. Deward.

ACTION OF BOARD—Laid over to July 28, 1942, at 2 P. M., for further consideration by the Board.

308-34-SA.

APPLICANT—Associated Oil Burner Company, Incorporated, owner.

SUBJECT—Application reopened September 14, 1937—re amendment of resolution, approval of additional name of Presteel Oil Burner (re Blue Glow Oil Burner, Models Supreme and DeLuxe, previously approved).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

MINUTES

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

481-38-SA.

APPLICANT—Colonial Stove Company, owner.
SUBJECT—Colalloy Steel Kwik Konnecter, approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

893-40-SM.

APPLICANT—William Van Alen, for Andrew Marzoli,
owner.

SUBJECT—Corkcrete (for floors and bases), approval of.
APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (893-40-SM)

WHEREAS, William Van Alen, for Andrew Marzoli,
owner, filed on September 5, 1940, an application with the
Board of Standards and Appeals for approval of the ma-
terial known as Corkcrete (for floors and bases); and

WHEREAS, the applicant failed to answer a communica-
tion from the Board, and at the hearing there was no
appearance made in behalf of the applicant.

Resolved, that the application for approval be and it
hereby is *dismissed* for lack of prosecution.

333-39-SM.

APPLICANT—De Yorgi Bros., Inc., owner.
SUBJECT—DeYorgi Bros. Concrete Blocks, approval of.
APPEARANCES—

For Applicant: N. W. Heddon.

ACTION OF BOARD—Material approved, in accordance
with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (333-39-SM)

WHEREAS, De Yorgi Brothers, Inc., owner, filed on March
16, 1939, an application with the Board of Standards and
Appeals for approval of the material known as the De
Yorgi Bros. Concrete Blocks; and

WHEREAS, this material was submitted to the Committee
on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 6, 1942.

Re: Cal. No. 333-39-SM.

Subject: DeYorgi Bros. Concrete Blocks, Approval of.
DeYorgi Bros, Inc., Bronx, New York, filed on
March 16, 1939 with the Board of Standards and Ap-
peals an application for approval under the requirements
of Sec. C26-178.0,b of the Administrative Code and the
Rules of the Board for the manufacture, testing and
use of concrete masonry units of their hollow and solid
load-bearing concrete masonry units for use in New
York City under Sections C26-305.0 and C26-309.0 of

the Administrative Code and under the Rules of the
Board.

These concrete masonry units are manufactured by
the applicants at their plant at 1392 Commerce Avenue,
Bronx, New York. The units are molded on an Ebling
Tamping Machine, into which the materials are fed
from a batch mixer, after the aggregates are propor-
tioned by volume. The mix consists of one part ap-
proved bagged Portland Cement, six parts Port Wash-
ington bank run sand (97.4% passing No. 4 screen) and
four parts Port Washington gravel (98.4% passing $\frac{3}{8}$
screen). Surface moisture content of the aggregates is
determined with the aid of a fixed volume container,
a hot plate and a scale. The water-cement ratio is
corrected to allow for the surface moisture carried by
the aggregates. New York City water is used and its
flow is controlled by the use of a Buffalo Water Meter
equipped with a large visible dial. The materials are
mixed dry for four minutes, the computed water is
then added and the mixing continued for an additional
4 minutes. A clock with a 12" face and sweep second
hand for timing the mix has been provided in com-
pliance with Rule 4.2.3. of the Board's Rules. The
blocks are cured by low pressure steam curing in tem-
peratures ranging from 95 to 110 degrees F. for 24
hours and then stored for at least 28 days before
deliveries are made. Records will be kept as required
by Rule 2.3.

These units are manufactured in the following nomi-
nal sizes:

	Yield per bag of cement
8" x 8" x 18" hollow loadbearing.....	25
8" x 10" x 16" hollow loadbearing.....	19
8" x 12" x 16" hollow loadbearing.....	16
8" x 12" x 16" solid loadbearing (25% voids) ..	14

Tests

Test specimens of these units were made (in the pres-
ence of representatives of the Board) of the following
mixture of materials:

Cement 376 pounds (contents of 4 bags)
Sand Approx. 29.6 cu. ft. (97.4% passing #4
screen) (silt content—2.09% by wgt.)
Gravel Approx. 22.4 cu. ft.
Water 20 gallons (total water)

After being tamped in the mold box the samples
were cured for 24 hours in a low-pressure steam room
and then stored under cover and submitted to test at
Columbia University Engineering Laboratories at end
of 28 days with the following results:

Nominal size	8x8x18	8x10x16	8x12x16	8x12x16
No. of cells	3	3	3	3
Type	Hollow, LB	Hollow, LB	Hollow, LB	Solid, LB (25% voids)
How capped		Cement Mortar		
Gross area in sq. in. .	138.4	160.0	190.3	189.1
Age at test	28 days	28 days	28 days	28 days
Average wgt. in lbs. .	47.0	58.45	74.7	87.02
Average compr. strength	1269	1412	1437	1600
Required	700	700	700	1500
Absorption, lbs. p/c/f				
(average)	Not tested	Not tested	7.9	8.1
Absorption, lbs. p/c/f				
(permitted)	Not tested	Not tested	15	15

Recommendations

On the basis of the foregoing data, the Committee
on Tests recommends the approval of DeYorgi Bros
concrete masonry units (as manufactured at the appli-
cants' plant at 1392 Commerce Avenue, Bronx, New
York) pursuant to Sections C26-191.0, C26-309.0 and the
rules of the Board for use in New York City as fol-
lows:

8" x 8" x 18" load-bearing hollow may not be used
where exposed to weather or soil.

8" x 10" x 16" load-bearing hollow may not be used
where exposed to weather or soil.

8" x 12" x 16" for use pursuant to Sec. C26-309.0,
and d.

MINUTES

8" x 12" x 16" load-bearing solid for use pursuant to Sec. C26-309.0,b and d.

This approval is recommended on the following conditions:

1. That these units be manufactured to the same specifications as herein set forth.
2. That these units be manufactured, cured, stored and used in accordance with the requirements of the Administrative Code and the Rules of the Board for the Manufacturing, Testing and Use of Concrete Masonry Units.
3. That these units be marked as required by Rules 8.1, 8.2, and 8.4.
4. That Rule 8.5 be complied with.
5. That 9 copies of drawings showing the manufacturer's distinguishing mark and its method of application with the additional marks required by Rules 8.1 and 8.2 shall be filed with the Board and accepted before this approval becomes effective.
6. That quarterly test reports of compression for not less than three representative samples of each size of block described herein, manufactured during the quarter be filed with the Board. Unless these tests are performed at a laboratory approved by the Board, such reports shall be verified before a notary public or commissioner of deeds by the person performing the same.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the De Yorgi Bros. Concrete Blocks, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

681-40-SA.

APPLICANT—Westinghouse Electric Elevator Company, owner.

SUBJECT—Westinghouse Type B2 Interlock, approval of.

APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (681-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on June 24, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type B2 Interlock; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 7, 1942.

Re: Cal. No. 681-40-SA

Subject: Westinghouse Type B2 Interlock, Approval of.

The Westinghouse Electric Elevator Company, New York, filed on June 24, 1940 an application with the Board of Standards and Appeals for approval of its appliance known as the Westinghouse Type B2 Inter-

lock, under the requirements of Sec. C26-178.0,b and Article 14 of the Administrative Code.

The Westinghouse Type B2 Interlock is of the electro-mechanical type intended for use on horizontally-sliding doors of the single speed or varied speed types to prevent the operation of the elevator door unless all hoistway doors are closed and locked (hoistway limit system). It is used with a retiring cam mechanism.

Assembly and operation:—The assembly includes an interlock switch mounted in the hoistway in line with the door rail; a latch which carries the control bridging plate hinged to the hanger on the leading side of the door so as to enter the switch housing when the door is closed and to lock the door when the cam is retired; and a retiring cam mechanism is provided comprising a cam, a cam support, and a cam-operating motor. The switch contains one set of contacts connected in series with the car control relay. When the car control is moved to the off position the retiring cam motor circuit is opened and the cam drops by gravity and engages the roller on the end of the cam roller arm. This action rotates the cam roller arm shaft and causes the interconnecting lever to raise the latch and open the circuit of the car control relay and also to unlock the door. The contacts open the circuit before the hook of the latch clears the portion of the housing which it engages. The closing of the door brings the hook of the latch to rest on top of the lug formed on the end of the interconnecting lever. The cam is next retired allowing the cam roller arm to move forward by gravity, thus moving the end of the interconnecting lever downward and permitting the latch to drop by gravity to lock the door and close the contact. Since the bridging plate is attached rigidly to the latch the car control relay circuit cannot be closed until the latch engages the end of the switch housing, thus locking the door before the contacts are closed.

Construction Details

Switch Housing—The housing is of cast iron having a minimum wall thickness of $\frac{1}{8}$ in. It is approximately 2 in. wide by $3\frac{1}{4}$ in. high by $5\frac{1}{2}$ in. long provided with two $\frac{5}{16}$ in. diam. holes for attachment screws. An opening 2 in. high extending the full width of the housing is provided at one end to accommodate entrance of the latch. Immediately below the opening the thickness of the housing is increased to approximately 1 in. to a width of $1\frac{1}{4}$ in. An incline is formed on this extension to facilitate entrance of the latch. A $\frac{7}{8}$ in. diam. hole is provided in one end of the housing to accommodate conduit connection. A cover plate of No. 16 USg (0.0625) steel is attached to one side of the enclosure by three screws.

Contacts—The two stationary contacts each comprise a holder and a contact finger. The holder is $1\frac{11}{16}$ in. in length of flat copper stock $\frac{3}{32}$ in. thick by $\frac{5}{16}$ in. wide and has three holes drilled through it. The contact finger is made from the same material $1\frac{7}{16}$ in. long. The width at one end is reduced to $\frac{1}{8}$ in. and is bent to form a hook which engages the center hole of the holder. A silver contact $\frac{5}{16}$ in. in diameter is riveted near the opposite end. The finger is held to the holder by a steel pin on which is mounted a small compression spring retained by two cupped washers. The end of each holder is secured to a molded phenolic block by a screw which is embedded in the block. These two screws are of sufficient length to serve as terminals and are provided with nuts and cupped washers. The mounting block is formed with a rib which serves as a barrier between the two contact assemblies. It is secured to a bracket on the housing by two screws threaded into the bracket. A short length of uninsulated stranded copper wire fitted with an eyelet at each end is provided for each contact. One eyelet is secured by the terminal screw and the other is secured to the opening in the center of the finger by a tubular rivet.

MINUTES

The movable contact which bridges the two stationary contacts comprises a copper plate $\frac{7}{8}$ in. long by $\frac{3}{8}$ in. wide by approximately $\frac{3}{32}$ in. thick. A lamination of silver 0.020 in. thick extending over the surface of the plate is provided to form the contact surface. The plate is provided with a threaded hole by which it is attached to a phenolic block by a screw countersunk into the block. The plate is placed in a depression on the block to prevent turning. The block is $\frac{1}{4}$ in. thick by $\frac{7}{8}$ in. wide by $1\frac{11}{16}$ in. long and is attached to the latch by two screws countersunk into the block.

Latch—The latch is a bronze casting $\frac{3}{4}$ in. wide and approximately $\frac{5}{16}$ in. thick. The forward end is formed with a hook having an engagement surface $\frac{3}{8}$ in. high. The nose of the hook is rounded to accommodate the incline on the housing. A bracket is formed on the upper side of the latch above the hook and is provided with two threaded holes to accommodate the attachment screws of the contact block. The rear of the latch is formed with a boss $\frac{7}{8}$ in. long by 1 in. in diam. provided with a $\frac{1}{2}$ in. diameter hole by which it is pivoted to the door hanger by a steel pin. A U-shaped projection is formed on the underside of the latch to restrict the upward motion of the arm.

Cam-operated Mechanism—The mechanism operated by the retiring cam comprises a roller arm, an operating shaft, and a latch unlocking arm. The roller arm is of cast brass approximately 6 in. long and $\frac{5}{16}$ in. minimum thickness. It tapers in width from $\frac{5}{8}$ in. to $\frac{7}{8}$ in. The upper end is formed with a boss $\frac{7}{16}$ in. thick by $\frac{5}{8}$ in. in diameter provided with a threaded hole to accommodate the roller attaching stud. The roller is of steel $\frac{7}{16}$ in. wide by $1\frac{1}{2}$ in. in diameter. The lower end of the arm is formed with a yoke $\frac{5}{8}$ in. wide by which the arm is clamped to the operating arm by a $\frac{5}{16}$ in. screw.

The operating arm is a $9\frac{1}{2}$ in. length of $\frac{1}{2}$ in. diameter steel rod which extends through the length of the enclosure. A hole in each end of the enclosure forms the bearings for the rod. A $\frac{5}{16}$ in. diameter steel rod is threaded into the operating rod and peened. The end of this rod engages an opening in the end of the latch unlocking arm. A length of $\frac{5}{16}$ in. diameter steel rod is threaded to the wall of the housing and serves as a stop for the operating rod.

The latch unlocking arm is of cast brass approximately $4\frac{3}{4}$ in. long. A boss $\frac{7}{8}$ in. long by $\frac{5}{8}$ in. in diameter is formed at the center of the arm and is provided with a hole to accommodate the $\frac{5}{16}$ in. steel pivot pin which is threaded into the wall of the housing. The front end of the arm is formed with a lug $\frac{5}{8}$ in. wide by $\frac{1}{4}$ in. thick which is located under the tip of the latch hook when in the locked position. The opposite end is formed with a lug approximately $\frac{3}{4}$ in. in diameter provided with a hole to engage the small rod of the operating rod. An angle bracket is provided to support the projecting end of the operating rod.

Retiring Cam—The retiring cam comprises a cam, and a cam-operating motor attached to a length of angle iron. The cam is made from a length of angle iron having both ends formed at an angle with the front face. The cam is attached to the back plate by two steel hinge arms. The upper end of the cam is hinged to a rod which is pivoted to the motor-operated toggle mechanism. The cam and motor assembly are mounted to a length of angle iron.

Door Operators—The door closers used with this interlock are of the manual or of the motor-operated type made by this manufacturer and used in connection with their interlocks.

Samples of the Westinghouse Type B2 Interlock were subjected by the Underwriters Laboratories, Inc. (Report on Safety Appliance 35, dated June 16, 1936) to each of the following tests prescribed by the Administrative Code and the Interlock has successfully met the requirements thereof:

1. Endurance test Sec. C26-1180.0
2. Current interrupting test..... Sec. C26-1181.0
3. Test in moist atmosphere..... Sec. C26-1182.0
4. Test without lubricant..... Sec. C26-1183.0
5. Misalignment test Sec. C26-1184.0
6. Insulation test Sec. C26-1185.0

The applicant has filed a letter dated June 19, 1942, certifying that the clearances between working parts of this device are such that it will satisfactorily function within the temperature range set forth in Sec. C26-1179.0,a of the Administrative Code.

Recommendations

On the basis of the foregoing date, the Committee on Tests recommends the approval of the Westinghouse Type B2 Interlock as having met the requirements of Article 14 of the Administrative Code for use in New York City when installed in accordance with the pertinent provisions of the Administrative Code. All appliances manufactured under this approval shall be marked as prescribed in Sec. C26-913.0 including the following "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 681-40-SA".

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Westinghouse Type B2 Interlock, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

682-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse Type BC Interlock, approval of.
APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (682-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on June 24, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type BC Interlock; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 7, 1942.

Re: Cal. No. 682-40-SA

Subject: Westinghouse Type BC Interlock, approval of.

The Westinghouse Electric Elevator Co., New York, N. Y. filed on June 24, 1940 an application with the Board of Standards and Appeals for approval of its appliance known as the Westinghouse Type BC Interlock, under the requirements of Sec. C26-178.0,b and Article 14 of the Administrative Code.

MINUTES

The Westinghouse Type BC Interlock is of the electro-mechanical type intended for use on horizontally-sliding doors of the single speed or varied speed types to prevent the operation of the elevator car unless all hoistway doors are closed and locked (hoistway unit system).

Assembly and Operation:

This assembly includes an interlock switch attached to the lower end of the door closer back plate; a straight arm door closer; and an adjustable rod which connects the interlock switch to the door closer mechanically. The switch contains a set of stationary contacts and a bridging plate. The bridging plate is attached to a shaft actuated by the connecting rod through two arms. The switch is connected in series with the circuit of the car control relay and is connected mechanically to the door closer and adjusted so that any motion of the door closer arms from the straight arm or "locked" position, even with imperceptible movement of the door, will cause the contacts to open the car control circuit. Upon closing the door the contacts are not closed until the closer reaches the locked position, thus locking the door before the car control circuit is closed.

Construction Details:

Switch Housing—The housing is made from No. 16 USg (0.0625 in.) sheet steel throughout. The lower section in which the contacts are mounted is approximately $7\frac{3}{4}$ in. long by $1\frac{1}{2}$ in. wide by $1\frac{1}{8}$ in. wide. Two end plates approximately 2 in. high are welded to the lower section. Each end plate is formed with a right-angle projection at the upper end $\frac{1}{2}$ in. wide and provided with a threaded hole to accommodate attachment to the upper section of the housing. One end plate is provided with a $\frac{7}{8}$ in. diam. hole for conduit connection. Two $\frac{3}{8}$ in. diam. holes are provided for mounting bolts.

The upper section which forms the cover is approximately $5\frac{5}{8}$ in. long by $1\frac{1}{2}$ in. wide by $1\frac{1}{8}$ in. high with open ends. It is attached to the end plates of the lower section by two screws. A $\frac{1}{32}$ in. thick phenolic liner $1\frac{3}{4}$ in. wide by $3\frac{1}{2}$ in. long is riveted to each side of the upper section. Each liner extends to within $7/16$ in. from one end of the cover.

Contacts—The stationary contact assembly is identical with that of the Type B-2 Interlock approved under Cal. No. 681-40-SA. The molded contact mounting base is secured to the bottom of the lower section of the housing by two screws.

The contact bridging plate is identical with that of Type B-2. The plate is mounted at one end of a phenolic block $\frac{1}{4}$ in. thick by $\frac{7}{8}$ in. wide by $1-11/16$ in. long. The end of the block is undercut to a depth of approximately $1/16$ in. into which the bridging plate is fitted. The plate is held by one screw threaded into the center. The block is secured to the operating shaft by two screws threaded into the shaft.

Contact-operating mechanism—This mechanism comprises a shaft to which the bridging plate mounting block is attached; a hinge arm, and a pull rod. The shaft is a $1\frac{5}{8}$ in. length of $\frac{1}{2}$ in. diam. steel rod provided with two threaded holes to accommodate the attachment screws of the bridging plate mounting block. One end of the shaft is machined to a $\frac{3}{8}$ in. diam. and is press-fitted into a hole in the shaft arm and peened. The two sides of the lower section of the housing are each provided with a brass bushed hole to form bearings for the shaft. The shaft arm is a $4\frac{3}{8}$ in. length of $\frac{1}{8}$ by $\frac{3}{4}$ in. flat steel stock having a $\frac{1}{4}$ in. steel pin riveted to the free end. The hinge arm is a $5\frac{3}{4}$ in. length of $\frac{1}{8}$ in. by $\frac{1}{2}$ in. flat steel stock. One end is provided with a hole to accommodate the hinge pin on the shaft arm. A washer and cotter pin on the hinge pin serve to retain the hinge arm. The opposite end of the arm is formed with a flat right-angle bend and provided with a hole to accommodate the pull rod. The pull rod is a length of $\frac{1}{4}$ in. diam. steel rod provided

with a thread at one end by which it is secured to the end of the hinge arm with two nuts. The upper end of the arm is hinged to the plate on the door closer.

Door-operating Mechanism—The manually-operated straight arm door closer comprises a series of pivoted toggle arms and brackets hinged to a mounting plate attached to the door frame. A check cylinder containing a pair of steel recoil springs and an oil chamber is hinged to one end of the arm assembly. The plate on the door arm to which the upper end of the check is hinged is provided with a pin to which the interlock switch pull rod is hinged.

Samples of the Westinghouse Type BC Interlock were subjected by the Underwriters' Laboratories (Report dated June 16, 1936) to each of the following tests prescribed by the Administrative Code and the interlock has successfully met the requirements thereof:

1. Endurance test C26-1180.0
2. Current interrupting test..... C26-1181.0
3. Test in moist atmosphere..... C26-1182.0
4. Test without lubricant C26-1183.0
5. Misalignment test C26-1184.0
6. Insulation test C26-1185.0

The applicant has filed a letter dated June 19, 1942 certifying that the clearances between working parts of this device are such that it will satisfactorily function within the temperature range set forth in Sec. C26-1179.0,a of the Administrative Code.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Westinghouse Type BC Interlock as having met the requirements of Article 14 of the Administrative Code, when installed in accordance with the pertinent provisions of the Administrative Code. All appliances under this approval shall be marked as prescribed in Sec. 26-913.0 including the following: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 682-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Westinghouse Type BC Interlock, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

683-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse Type C Contact, approval of.

APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (683-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on June 24, 1940, an application with the Board of

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Standards and Appeals for approval of the appliance known as the Westinghouse Type C Contact; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 6, 1942.

Re: Cal. No. 683-40-SA.

Approval of Westinghouse Type C Electric Contact.

The Westinghouse Electric Elevator Co., New York, N. Y. filed on June 24, 1940, an application with the Board of Standards and Appeals for approval of its appliance known as the Westinghouse Type C Contact, under the requirements of Sec. C26-178.0b and Article 14 of the Administrative Code.

The Westinghouse Type C Electric Contact is intended for use with sliding elevator car gates to prevent operation of the elevator car unless the car gate is closed. The device comprises a cast-iron base, in which is mounted a molded bakelite block which serves as a mounting for two spring-loaded stationary contacts and two terminals; a spring-loaded operating cam hinged between two cars formed at one end of the base; a set of movable contacts mounted on a bakelite block attached to an arm formed on the came; and a sheet steel enclosing cover. The contact is mounted on the bar frame. The cam-operating roller is mounted on the gate and is furnished with it. The contact switch is electrically connected in the car controller circuit in a manner so that the car controller circuit is open unless the car gate is closed. The contact operating cam is weighted and hinged so that it will open the contacts by gravity. A compression spring is provided on the cam to assure a quicker action. The cam is formed with an incline at one end so that in the event of binding of parts, the roller on the gate when the gate is opening will engage the incline and move the contacts to the open circuit position in a positive manner.

Construction Details:

Housing—The housing comprises a cast-iron base and a steel cover. The base has a minimum wall thickness of $\frac{1}{8}$ in. One end is formed with a wall $\frac{5}{16}$ in. thick, which forms one end of the enclosure. A $\frac{7}{8}$ -in. diameter hole is provided in the wall for conduit connection. The opposite end is provided with two cars approximately $\frac{3}{8}$ in. thick, between which the cam is hinged. A box-shaped extension is formed behind the cars to serve as a retainer for the cam spring. Two threaded bossed holes are provided through the base for attachment screws. The cover is made from No. 16 (0.0625 in.) USg sheet steel. It is U-shaped and is attached to the base by two screws.

Stationary Contacts—The two stationary contacts each comprise a holder and a contact finger. The holder is made from flat copper stock $\frac{3}{32}$ in. thick by $\frac{5}{16}$ in. wide and has three holes drilled through it. The contact finger is made of the same material. The width at one end is reduced to $\frac{1}{2}$ in. and is bent to form a hook which engages the center hole of the holder. A silver contact is riveted near the opposite end. The finger is held to the holder by a steel pin on which is mounted a small compression spring retained by two cupped washers. The end of each holder is secured to a molded bakelite block by a screw which is embedded in the block. These two screws are of sufficient length to serve as terminals and are provided with nuts and cupped washers. The mounting block is formed with a rib which serves as a barrier between the two contact assemblies. It is secured to the base of the housing by two screws which thread into the casting. A short length of uninsulated stranded copper wire fitted with an eyelet at each end is provided for each contact. One eyelet is secured to the terminal screw and the other is riveted to the opening in the contact finger through which the spring-loaded pin passes.

The movable contact comprises a short length of flat copper stock, approximately $\frac{1}{16}$ in. thick by $\frac{7}{8}$ in. wide, near one end of which two silver contacts are riveted and spaced on $\frac{9}{16}$ -in. centers. The copper plate is provided with a hole, by which it is secured to a molded bakelite block by a screw which is embedded in the block. One edge of the block is provided with a rib to prevent turning of the plate. The bakelite block is secured to an arm of the operating cam by two screws threaded into the casting. The screw heads are countersunk to a depth of at least $\frac{1}{8}$ in., and a liner of phenolic composition at least $\frac{1}{32}$ in. thick is placed between the bakelite block and the contact mounting plate.

Operating Cam—The operating cam is of cast iron and is formed with an inclined surface 1 in. wide, upon which the roller moves. The cam is formed with a bossed section $\frac{7}{8}$ in. wide, provided with a hole to accommodate a $\frac{1}{2}$ -in. diameter brass pin, by which it is hinged to the ears of the housing base. Two right-angle projections are formed integral with the bossed portion. One of these serves as the mounting for the movable contact, and the other serves as a stop. A nub is formed on the cam and also in the box-like projection of the housing base to serve as a retainer for the cam spring. This is a compression type spring made of steel wire and is $\frac{5}{8}$ in. in diameter and $1\frac{1}{2}$ in. long.

Samples of this contact were tested by the Underwriters Laboratories, Inc. (Report on Safety Appliance No. 35, dated October 13, 1933) in accordance with the requirements of Sec. C86-919.0 and successfully met the tests prescribed, viz.:

1. Endurance test C26-1180.0
2. Current interrupting test C26-1181.0
3. Test in moist atmosphere C26-1182.0
4. Misalignment test C26-1183.0
5. Insulation test C26-1184.0

The applicant had filed a letter dated June 19, 1942, certifying that the clearances between working parts of this device are such that it will satisfactorily function within the temperature range as required by Sec. C26-1179.0a of the Administrative Code.

Recommendations

On the basis of the foregoing data the Committee on Tests recommends the approval of the Westinghouse Type C Electric Contact as having met the requirements of Sec. C26-919.0 of the Administrative Code for use in New York City, when installed in accordance with the pertinent requirements of the Administrative Code. All appliances manufactured under this approval shall be marked as required by Sec. C26-913.0, including the following "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 683-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Westinghouse Type C Contact, *on condition* that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

699-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.

MINUTES

SUBJECT—Westinghouse Type OC Oil Buffer, approval of.

APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (699-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on June 27, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type OC Oil Buffer; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 6, 1942.

Re: Cal. No. 699-40-SA.

Subject: Approval of Westinghouse Type OC Oil Buffer.

The Westinghouse Electric Elevator Company, New York, N. Y., filed on June 27, 1940 with the Board of Standards and Appeals an application for approval under the requirements of Section C26-178.0,b and Article 14 of the Administrative Code of its appliance known as the Westinghouse Type OC Oil Buffer for use in New York City under the pertinent Sections of the Administrative Code.

The Westinghouse Type OC Oil Buffer is a spring-return 8 $\frac{5}{8}$ " stroke elevator oil buffer. The cylinder of this buffer is made of semi-steel. Inside of the cylinder is brazed a tapered steel rod called the control rod. The plunger is of seamless steel tubing. This plunger fits into the open end of the cylinder and is guided by the two machined surfaces. The outside of the plunger is ground to a fine finish and dimensional tolerances such as to give a close fit to the guiding surfaces. To the bottom end of the plunger is welded a cast steel disc. This disc has a hole in its center. When the plunger with the disc is slipped into the cylinder, the control rod projects through the hole in the disc. The clearance between the control rod and hole in the disc provides an annular type orifice. The plunger is held into the cylinder by a baffle plate which bolts to the top of the control rod and over the disc. In the top of the baffle plate is cast a seat for the return spring. The spring is held in the plunger at the top of the buffer cap, which has a seat for the spring cast in it. The cap is of cast steel machined on the outside to fit inside the plunger. It is bolted to the plunger. In the top of this cap is inserted a rubber bumper. This bumper absorbs the initial impact of the elevator striker block. The reservoir is cast as part of the cylinder. It provides for oil storage and to catch oil leakage past the surface. An oil level gauge as required by Sec. C26-945.0 is provided to indicate the proper oil level. A hole is provided in the buffer cap to permit air to leave the plunger when the buffer is compressed. Oil is prevented from leaving with the air by a felt plug inserted in this hole. This plug acts as a filter.

The sequence of operation of the buffer is as follows: As the elevator striker block hits the rubber bumper the rubber compresses permitting the plunger assembly to accelerate without excessive impact. As the plunger assembly moves down, the steel disc moves down the control rod. This forces oil through the annular orifice formed by the control rod and steel disc. The forcing of oil through this orifice provides the retarding force required to stop the elevator car or counterweight. Since the control rod is tapered, this orifice

reduces in size, thus providing constant retarding force. The spring is compressed which provides a means of automatically returning the plunger to its original position after the elevator has been withdrawn. The displacement of the air in the plunger is provided for by the hole in the buffer cap. The baffle is provided to break up the oil as it is forced through the orifice, thus preventing the oil being driven against the buffer cap at a high velocity. A hole is provided between the reservoir and the cylinder so that leakage past the bearing surface drains back to the cylinder. A relief hole is provided in the steel disc to prevent the plunger from being locked by suction at the compressed position.

The Westinghouse Type OC Oil Buffer has been tested by the United States Department of Commerce, Bureau of Standards (Report XII-1/Tn 77654) as a buffer having the following rating

Minimum weight of car or counterweight. 4250 lbs.

Maximum weight of car or counterweight. 11000 lbs.

Maximum governor tripping speed..... 405 ft.

per min.

and the tests indicate that the buffer complies with the requirements of each of the following tests prescribed by the Article 14 of the Administrative Code:

1. Retardation testSection C26-1187.0

2. Oilleaking testSection C26-1188.0

3. Churning testSection C26-1189.0

4. Plunger return test.....Section C26-1190.0

5. Test for lateral movement of

plungerSection C26-1191.0

The test was made at 15° to 19° Centigrade with an oil having an absolute viscosity of 3.03 poises at 10° C. and 0.585 poise at 35° C.

Recommendations

On the basis of the foregoing data the Committee on Tests recommends the approval of the Westinghouse Type OC Oil Buffer, 8 $\frac{5}{8}$ in. stroke for use in New York City, when installed in accordance with the provisions of the Administrative Code and when marked as required by Sec. C26-950.0 of the Administrative Code, including a decalcomania or label reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. #699-40-SA".

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Westinghouse Type OC Oil Buffer, *on condition* that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

701-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse Type 126B Interlock, approval of.

APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

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THE RESOLUTION (701-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on June 27, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type 126B Interlock; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 7, 1942.

Re: Cal. No. 701-40-SA.

Subject Westinghouse Type 126B Interlock, approval of.

The Westinghouse Electric Elevator Co., New York, N. Y., filed on June 27, 1940 with the Board of Standards and Appeals an application for approval of its appliance known as the Westinghouse Type 126B Interlock under the requirements of Section C26-178.0,b and Article 14 of the Administrative Code.

The Westinghouse Type 126B Interlock is an electro-mechanical interlock for electric elevators of all types requiring the presence of an operator in the car. It is installed in connection with a Westinghouse motor driven door operator and connected thereto by a vertical locking rod. It is designed for use with horizontally-sliding doors. This interlock is intended to be so installed that the controller circuit is open unless all hoistway doors are locked in the closed position. This constitutes a hoistway unit system.

Assembly and Operation:

The interlock switch housing forms an integral part of the door operator assembly, being bolted to the back plate of the operator. The operator mechanism consists of a motor, the casing of which is hinged at the lower end to a bracket attached to the back plate and the shaft of which is connected to a sleeve, in which is pinned a nut, which in turn extends and retracts, which opens and closes the doors through the crank, link and crank. Also attached to the pin of the crank, is an adjustable link, which is hinged to the upper end of the vertically sliding locking bar. This bar slides in guide formed in the switch housing and is provided with a two-stepped notch into which the end of the latch, can drop when the door is in the closed position. The latch is lifted out of engagement by a magnet coil. The interlock contacts are mounted on this latch so that the door is locked before the contact is made. The straight-arm door closer arm is connected to crank.

The method of operation given in the following description refers to relays, inductor switches, and circuits not forming part of this interlock assembly, but which are mentioned for explanatory purposes. As the car slows down for a floor stop, a relay, controlled by an inductor switch, opens. The opening of the relay excites the door inductor coil, closes one side of the circuit to the interlock magnet coil, and sets up the door-opening circuit. When the door inductor coil reaches the hoistway door inductor switch, the switch closes. The contacts of the inductor switch connect the hoistway door operator at that floor to the door control and close the other side of the circuit to the interlock magnet at that floor, thus exciting the magnet. This lifts the armature, opening the interlock circuit and unlocking the door. Opening of the interlock circuit closes the door-opening circuit and opens the door. When the car controller switch is thrown to the first notch to start the car, it closes the door-closing control circuit, starting the doors to close, and opens the circuit to the interlock magnet. This drops the armature and permits the latch to drag or slide on the locking bar. As the door reaches a point within 4 in. or less of full closure, depending upon the installer's adjustment, the latch drops into the first notch in the locking bar, thus

locking the door. Subsequent to the engagement of the latch with the locking bar, the further movement of the latch closes the interlock circuit, permitting the car to start on further movement of the car controller switch. When the doors are fully closed, the interlock drops into the second notch of the locking bar. This mechanism insures the full compliance with the definition of an interlock.

Construction Details:

Switch Housing—The housing is made of cast iron with a minimum wall thickness of $\frac{1}{2}$ in. and having lugs extending above and below by which it may be securely attached to the back plate of the door operator assembly. The housing is $4\frac{1}{8}$ in. wide, $1\frac{3}{4}$ in. thick, and $13\frac{1}{2}$ in. long. It is provided with metal cover plates, one on each side, $1/16$ in. thick and provided with $1/32$ in. insulating liners at the points opposite the contact assembly. A partition is cast integrally at a point slightly above the center for the mounting of the magnet coil. A phenolic composition terminal block is mounted on one of the side plates so as to come in the compartment near the upper end of the housing. A conduit connection is provided, both at the top and bottom of the housing, the upper being for the leads connected to the magnet coil and interlock contacts, and the lower for the motor operating leads.

Contacts—The two stationary contacts each comprise a holder and a contact finger. The holder is a $1-11/16$ length of flat copper stock $3/32$ in. thick by $5/16$ in. wide and has three holes drilled through it. The contact finger is made from the same material $1-7/16$ in. long. The width at one end is reduced to $1/8$ in. and is bent to form a hook which engages the center hole of the holder. A silver contact $5/16$ in. in diameter is riveted near the opposite end. The finger is held to the holder by a steel pin on which is mounted a small compression spring retained by two cupped washers. The end of each holder is secured to a molded phenolic block by a screw embedded in the block. These two screws are of sufficient length to serve as terminals and are provided with nuts and cupped washers. The mounting block is formed with a rib which serves as a barrier between the two contact assemblies. It is secured to a bracket on the housing by two screws threaded into the bracket. A short length of uninsulated stranded copper wire fitted with an eyelet at each end is provided for each contact. One eyelet is secured by the terminal screw and the other is secured to the opening in the center of the finger by a tubular rivet.

The movable contact which bridges the two stationary contacts comprises a copper plate $7/8$ in. long by $3/8$ in. wide by approximately $3/32$ in. thick. A lamination of silver 0.020 in. thick extending over the surface of the plate is provided to form the contact surface. The plate is provided with a threaded hole by which it is attached to a phenolic block by a screw countersunk into the block. The plate is placed in a depression on the block to prevent turning. The block is $1/4$ in. thick by $7/8$ in. wide by $1-11/16$ in. long, and is attached to the latch by two screws countersunk into the block.

Latch—The latch is a brass casting hinged to the housing by a $3/8$ in. steel pin engaging lugs in the housing. It is provided with an armature at its upper side. A hooked arm extending from the lower side engages the locking bar.

Magnet Coil—This coil consists of 25,600 turns of No. 36 insulated wire. Its outside dimensions, finished and coated, are: length $2\frac{5}{8}$ in., diameter approximately $1\frac{1}{2}$ in. It is wound on a micarta spool having an inside diameter of $17/32$ in. and is mounted on a $1/2$ in. diameter iron or steel bolt.

Samples of the Westinghouse Type 126B Interlock were subjected by the Underwriters' Laboratories, Inc. (Report dated April 13, 1937) to each of the following tests prescribed by the Administrative Code and the interlock has successfully met the requirements thereof.

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1. Endurance testSec. C26-1180.0
2. Current interrupting test.....Sec. C26-1181.0
3. Test in moist atmosphere.....Sec. C26-1182.0
4. Test without lubricantSec. C26-1183.0
5. Insulation testSec. C26-1185.0

Owing to the fact that the mechanism of this interlock forms an integral part of and is attached to the door operator, slight variations of alignment of the doors or of the car in the hoistway would have no effect upon the functioning of the device as an interlock. It was therefore considered unnecessary to make the misalignment test.

The applicant has filed a letter dated June 19, 1942 certifying that the clearances between the working parts of this device are such that it will satisfactorily function within the temperature range set forth in Sec. C26-1179.0,a of the Administrative Code.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Westinghouse Type 126B Interlock as having met the requirements of Article 14 of the Administrative Code for use in New York City, when installed in accordance with the pertinent provisions of the Administrative Code. All appliances manufactured under this approval shall be marked as required by Sec. C26-913.0 including the following: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 701-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Westinghouse Type 126B Interlock, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

727-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse Type F Interlock, approval of.
APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (727-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on July 2, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type F Interlock; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 13, 1942.

Re: Cal. No. 727-40-SA.

Subject: Westinghouse Type "F" Interlock, approval of.

The Westinghouse Electric Elevator Co., New York, N. Y. filed on July 2, 1940 with the Board of Standards and Appeals an application for approval of its appliance known as the Westinghouse Type "F" Interlock under the requirements of Sec. C26-178.0,b and Article 14 of the Administrative Code.

The Westinghouse Type "F" Interlock is designed for use with the Westinghouse Type C electric freight door operator on bi-parting, vertically sliding hoistway doors. It may be used on either car-switch or automatic elevators. The interlock is intended to be installed so that when the control circuit is open all hoistway doors are locked in the closed position.

Assembly and Operation:

This interlock consists of a mounting frame or case at the upper end of which are the magnet circuit terminals. Below the terminals are the magnet coil, the release lever and armature, the contact assembly and the blades. At the lower end of the mounting frame is a projecting lip or lug, which in the closed position is engaged by the hook on the latch. This latch, together with its control spring, is attached to a latch bracket, which in turn is mounted on the trucking sill extension or hanger bar of the lower hatch door. The mounting frame has a cover which encloses the entire assembly above the point of engagement of the latch. This interlock is installed by having the mounting frame attached to the door rail support angle, above the center of the opening, on supports provided by the door manufacturer. The latch attached to the trucking bar carries a locking hook above which is mounted the contact bridge. The adjustment is such that when the doors are closed the hook locks the doors mechanically, after which the contact bridge establishes the electric circuits through the contact block, thus permitting the car to leave the floor. Normal operation of this interlock with power-operated, vertically sliding doors in connection with a car-switch automatic landing elevator is as follows: As the car slows down for a floor stop a relay, controlled by an inductor switch, opens. Opening of the relay excites the door inductor coil, closes one side of the circuit to the interlock magnet, and sets up the door-opening circuit. When the door inductor coil reaches the hatch door inductor switch, the switch closes. The contacts of the inductor switch connect the hatch door operator at that floor to the door control and close the other side of the circuit to the interlock magnet at that floor, thus exciting the magnet. This lifts the armature, opening the interlock circuit and unlocking the door. Opening of the interlock circuit completes the door-opening circuit and opens the door. When the car switch is thrown to the first notch to start the car, it closes the door-closing control circuit, starting the doors to close, and opens the circuit to the interlock magnet, which drops the release lever. As the doors reach the closed position, the locking hook falls into place, locking the door and then closing the interlock circuit which, on further movement of the car switch, will permit the car to start. With an automatic elevator, the operation is similar except that the sequence of operation is set up by actuating car or corridor buttons. An emergency key is provided at the lowest landing so that a mechanic may enter the hoistway for emergency purposes.

Construction Details:

Mounting Frame—This is made of cast iron and is approximately 13 in. long, 2 in. wide, and is provided with an opening at the top for conduit connection. Through the back is a bolt hole through which this part is attached to the hatch-way wall. The lower end of this mounting frame is beveled to provide a sloping surface on which the latch hook may ride when the door approaches the closed position. A projecting lug is provided near the upper part of the mounting to receive the magnet coil. Side wall openings are provided near

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the lower end of the hinge pin of the release lever. A steel or brass sheet metal cover 1/16 in. thick is provided to enclose the switching mechanism.

Magnet Coil—This coil consists of 25,600 turns of No. 36 insulated wire. Its outside dimensions finished and coated are: Length, 2 5/8 in.—diameter, approximately 1 1/2 in. It is wound on a micarta spool having an inside diameter of 17/32 in. and is mounted on a 1/2 in. iron or steel bolt screwed into the supporting bracket. The terminal leads from the magnet coil are attached to terminal posts mounted in insulating material extensions bolted to the mounting frame above the magnet coil.

Release Lever—The release lever is an inverted L-shaped brass casting hinged by a 7/16 in. steel pin to the mounting frame and bearing at its upper end an iron armature. Its lower extension engages the end of the latch. The hinge pin is held in position by the close-fitting sides of the cover.

Contacts—The contact assembly consists of a phenolic composition block 2 in. square, 3/4 in. thick, with a backing plate 1/16 in. thick attached to the mounting frame by two screws passing through the block and backing plate and threaded into the cast-iron mounting plate. The phenolic composition block is provided on each side with two 1/4 in. wide grooves 1/4 in. deep, into one pair of which are secured the two contact blades. These are 2 7/8 in. long 1/4 in. wide, and 0.165 in. thick cadmium-coated steel. Each one is provided with a 1/4 in. diameter 1/8 in. thick silver stud forming the contact. The upper ends of these contact springs are bolted to the insulating block with a short length of reinforcing plate under the head of the screw bearing against the blade. The mounting screws are provided with upturned lugs, lock washers, and nuts, and form the terminal connections. These are countersunk in enlargements of the grooves on the other side of the block. The movable contact bridge, which is attached to the latch described in the next paragraph, is a piece of copper 1 in. long, 3/4 in. wide, and 1/8 in. thick provided with a 0.02-in. thick lamination of silver extending over one face to form the contact surface. The plate is provided with a threaded hole by which it is attached to a phenolic block by a screw countersunk into the block. The plate is placed against a shoulder in the block to prevent it from turning. The block is attached to the upper end of the latch by two screws held in place by lock washers.

Latch—The latch is a brass casting approximately 6 in. long overall and provided near its upper end with a latch hook which extends 1/2 in. The lower end is hinged by a 1/2 in. steel pin to the latch bracket. A 3/4 in. threaded guide pin is screwed into the latch to carry the latch spring.

Latch Bracket—This is a cast-iron bracket 6 1/4 in. long, 1 in. wide, and 1/2 in. thick, with a lug through which the latch hinge pin passes. Near the upper end is a limit screw with lock nut and below that is a hole through which the spring guide pin from the latch passes.

Samples of the Westinghouse Type "F" Interlock were subjected by the Underwriters' Laboratories, Inc. (Report dated April 24, 1937) to each of the following tests prescribed by the Administrative Code and the interlock has successfully met the requirements thereof:

1. Endurance testSec. C26-1180.0
2. Current interrupting test.....Sec. C26-1181.0
3. Test in moist atmosphere.....Sec. C26-1182.0
4. Test without lubricantSec. C26-1183.0
5. Misalignment testSec. C26-1184.0
6. Insulation testSec. C26-1185.0

The applicant has filed a letter dated June 19, 1942 certifying that the clearances between the working parts of this device are such that it will satisfactorily

function within the temperature range set forth in Sec. C26-1179.0,a of the Administrative Code.

Recommendations

On the basis of the foregoing data the Committee on Tests recommends the approval of the Westinghouse Type "F" Interlock as having met the requirements of Article 14 of the Administrative Code for use in New York City, when installed in accordance with the pertinent provisions of the Administrative Code. All appliances manufactured under this approval shall be marked as required by Sec. C26-913.0 including the following: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 727-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Westinghouse Type F Interlock, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

728-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse Type P Interlock, approval of.
APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (728-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on July 2, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type P Interlock; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1942.

Cal. No. 728-40-SA.

Subject: Westinghouse Type P Interlock, Approval of.

The Westinghouse Electric Elevator Company, New York, N. Y., filed on July 2, 1940 with the Board of Standards and Appeals an application for approval of its appliance known as the Westinghouse Type "P" Interlock under the requirements of Sec. C26-178.0,b and Article 14 of the Administrative Code.

The Westinghouse Type P Interlock is an electro-mechanical elevator interlock intended for use on manually-controlled elevators with swinging or horizontally sliding doors to prevent the operation of the elevator car unless all hoistway doors are closed and locked.

Assembly and Operation:

The interlock is of the bar lock type. The assembly includes an interlock switch and a locking bar which serves to lock the door mechanically. The switch com-

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prises a cast-iron housing enclosing a set of stationary contacts mounted on a molded phenolic composition block. The housing is formed with an opening to allow entrance of the bar hook. The lower edge of the opening is of increased thickness and is formed with a short incline to facilitate entrance of the bar hook and a vertical surface which engages the hook in the locked position.

The locking bar is of the gravity type and carries the bridging contact which is mounted on an insulating block attached to the top of the bar hook. The bar is attached to the door in a vertical position, and the switch is mounted on the frame of the hoistway door.

The interlock switches and the car controller are electrically-connected in a manner that the car controller circuit is open unless all hoistway doors are closed and locked.

In order to open the door, the locking bar is moved upward manually against gravity. The upward movement of the bar is restricted by an upward stop located so that the bar hook will clear the opening in the switch housing. As the bar is moved upward, the contact bridging plate disengages the contacts before the bar hook clears the locking surface so that the circuit is opened before the door is unlocked. When the bar reaches the upper stop, the door is free to be moved to its open position. When the bar is released, it moves by gravity until it engages a lower stop.

In closing the door, the inclined face of the bar hook engages the incline on the switch housing and raises the bar assembly until the hook clears the top of the locking surface. The bar assembly then moves downward by gravity until it engages the lower stop. As the bar moves downward, the hook engages the locking surface, and the bridging plate engages the contacts. The end of the hook protrudes over the edge of the locking surface at least $3/16$ in. before the contacts are closed, thus locking the door before the circuit is closed.

Construction Details:

Switch Housing—The housing is of cast-iron having a minimum wall thickness of $1/8$ in. and provided with holes for attachment screws. An opening is formed in the lower side of the housing and is closed by a cover plate. An opening is also formed to allow entrance of the bar hook. The metal at the lower side of the opening is increased to a thickness of $5/8$ in. and is formed with an inclined surface at the forward end and a vertical surface at the rear end. The vertical surface is approximately $1/2$ in. high.

The housing for application to sliding doors is formed with a bossed opening which is provided with at least five threads and a stop to accommodate $1/2$ in. rigid conduit. The opening from the conduit stop into the housing is approximately $7/16$ in. in diameter and is sloped to clear the end of the contact mounting block. The opening for entrance of the bar hook is located at one end of the housing. Both sides of the box are provided with a liner of micarta $1/32$ in. thick by $17/8$ in. wide by $45/8$ in. long, each attached by three rivets. The housing is approximately $15/8$ in. wide by $25/8$ in. high by $51/2$ in. long. The cover plate is of sheet-steel $1/16$ in. thick by $15/8$ in. wide by $3-13/16$ in. long attached by two screws.

One end of the housing for use on swinging doors is provided with a $7/8$ in. diameter hole for conduit connection. An L-shaped opening is formed in the side of the housing to accommodate entrance of the bar hook. The side of the housing opposite the hook entrance opening is provided with a micarta liner $1/32$ in. thick by $17/8$ in. wide by $47/8$ in. long attached by three rivets. The housing is approximately 2 in. wide by $25/8$ in. high by $51/2$ in. long. The cover plate is of sheet steel $1/16$ in. thick by 2 in. wide by $3-15/16$ in. long attached by two screws.

Contacts—The two stationary contacts each comprise a holder and a contact finger. The holder is made from

flat copper stock $3/32$ in. thick by $5/16$ in. wide and has three holes drilled through it. The contact finger is made of the same material. The width at one end is reduced to $1/2$ in. and is bent to form a hook which engages the center hole of the holder. A silver contact is riveted near the opposite end. The finger is held to the holder by a steel pin on which is mounted a small compression spring retained by two copper washers. The end of each holder is secured to a molded bakelite block by a screw which is embedded in the block. These two screws are of sufficient length to serve as terminals and are provided with nuts and cupped washers. The mounting block is formed with a rib which serves as a barrier between the two contact assemblies. It is secured to the base of the housing by two screws which thread into the casting. A short length of uninsulated stranded copper wire fitted with an eyelet at each end is provided for each contact. One eyelet is secured to the terminal screw, and the other is riveted to the opening in the contact finger through which the springloaded pin passes.

The movable contact, which bridges the two stationary contacts, comprises a copper plate $1-3/16$ in. long by $7/8$ in. wide by $1/16$ in. thick. A lamination of silver $1/2$ in. wide by $7/8$ in. long by 0.020 in. thick is provided to form the contact surface. The plate is provided with two holes by which it is attached to a micarta insulating block by two $1/8$ in. diameter rivets. The heads of the rivets are countersunk into the block to a depth of $3/16$ in. and sealed with an insulating compound. The block is $7/8$ in. wide and has a maximum thickness of $9/16$ in. The forward end is L-shaped and butts against the bar hook. The block is drilled and counterbored to accommodate two screws for attachment to the top of the bar hook. The contact plate projects beyond the block for a distance of approximately $21/32$ in.

Locking Bar—The locking bar assembly comprises a length of steel tubing, a hook, an adjustable stop collar, and two guide brackets. The bar is a 42-in. length of welded steel tubing $3/4$ in. outside diameter with 0.065 in. wall, machined to a slightly smaller diameter for a distance of 1 in. in the upper end and provided with a hole to accommodate attachment of a locking hook. The hook is a C-shaped brass casting with a hub $13/8$ in. in diameter provided with a $3/4$ in. diameter hole to fit the end of the locking bar. It is secured to the bar by a $1/4$ in. diameter steel pin. The remainder of the casting is approximately $3/4$ in. wide by $3/8$ in. thick. The upper end of the casting is formed with a hook approximately $3/8$ in. high, provided with an inclined surface. Threaded holes are provided on the top portion of the casting to accommodate attachment of the contact plate mounting block. The guide brackets are of cast-iron, formed with an attachment arm approximately $3/8$ in. thick and provided with two holes for attachment screws. A $13/8$ in. diameter boss $13/4$ in. long is formed integral with the arm. The boss is provided with a hole of sufficient diameter to allow the bar to slide through it. A longitudinal slot is formed in the boss, which accommodates a plug fitted into the bar and serves to prevent the bar from turning. A steel collar $13/8$ in. in diameter by $1/2$ in. thick is placed on the rod below the upper bracket to serve as a stop. It is held to the bar by a $1/4$ in. diameter steel pin.

Samples of the Westinghouse Type P Interlock were subjected by the Underwriters Laboratories, Inc. (Report dated July 24, 1934) to each of the following tests prescribed by the Administrative Code and the interlock has successfully met the requirements thereof:

1. Endurance test Sec. C26-1180.0
2. Current interrupting test Sec. C26-1181.0
3. Test in moist atmosphere Sec. C26-1182.0
4. Test without lubricant Sec. C26-1183.0
5. Misalignment test Sec. C26-1184.0
6. Insulation test Sec. C26-1185.0

The applicant has filed a letter dated June 19, 1942 certifying that the clearances between the working parts

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of this device are such that it will satisfactorily function within the temperature range set forth in Sec. C26-1179.0,a of the Administrative Code.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Westinghouse Type P Interlock as having met the requirements of Article 14 of the Administrative Code for use in New York City, when installed in accordance with the pertinent provisions of the Administrative Code. All appliances manufactured under the approval shall be marked as required by Sec. C26-913.0, including the following "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 728-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Westinghouse Type P Interlock, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

743-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse Type SC Contact, approval of.
APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (743-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on July 5, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type SC Contact; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1942.

Re: Cal. No. 743-40SA.

Subject: Westinghouse Type SC Contact, approval of.

The Westinghouse Electric Elevator Co., New York, N. Y. filed on July 5, 1940 an application with the Board of Standards and Appeals for approval of its appliance known as the Westinghouse Type SC Contact under the requirements of Sec. C26-178.0,b and Article 14 of the Administrative Code.

The Westinghouse Type SC Contact is designed for use with Westinghouse Type MS car and hatch door operator. This operator is adaptable to the operation of horizontally sliding doors of single speed, single speed center opening, or two-speed type. In a complete installation an interlock is employed in connection with the hoistway doors. As installed for single speed car and hatch doors the car door is attached to a sprocket chain by a bracket extending upward from the hangers.

The chain is driven by a sprocket mounted on a sleeve which is, in turn, driven by a rubber fabric V-belt from the motor. The chain also passes around a sprocket on a limit switch assembly. The latter contains a preliminary and a final checking contact for each direction a limit contact for each direction, and a door contact. The latter, which is the subject of this report, serves to prevent operation of the car unless the car door is closed. The motor is series wound for slow speed and with the proper external resistance value is capable of standing energized for an indefinite period without overheating. The stand-still torque is such that a person will find it quite easy to restrain the door from moving. The door velocity is adjustable to a small extent only by changing the value of resistance in series with the motor. The applicant advises that this resistance is so adjusted that the force at the edge of the door does not exceed 10 lb. when the door is stopped by a person. A vertical steel vane is rigidly attached to the car door and meshes into a slot in a rubber member attached to the hatch door. The rubber member is so shaped that it has ample stability in the horizontal direction to drive the door, but if stuck in a vertical direction by the car door vane it readily yields out of the way. Therefore, if the car door or hatch door is falsely positioned at any time the equipment will not be injured as the car passes.

Assembly:

The limit switch assembly is in a steel enclosure which is made with removable front and back covers and has attached to its upper end the resistor assembly. Mounted in the bottom of the box is the contact assembly. This consists of a cast-iron base with supporting brackets which carry a steel cam-shaft on which are mounted four phenolic composition discs which form the cams. Mounted on phenolic blocks at the sides of the lower portions of the upright brackets are the spring steel contact strips. These strips have silver contact buttons at their upper ends and small formed steel lugs riveted to them near the center for engagement with the surfaces of the cams. A phenolic composition block is bolted to the upper cross frame member of the supports and carries the terminal screws to the under ends of which are attached the steel caps bearing the silver button stationary contacts. The lower shaft of the assembly carries the sprocket by which the mechanism is operated through a pinion and gear at the back of the assembly.

Construction Details:

Enclosure—This is a formed steel box made of material 1/16 in. thick and having a depth of 3 3/4 in., a width of 12 in., and a height of 15 in. The front and back covers are 1/16 in. steel.

Cam Shaft Base—This is a cast-iron member having a lower portion 7 7/8 in. long, 3 5/8 in. wide, and 3/8 in. thick. Upright brackets, also 3/8 in. thick, carry the sprocket shaft bearings and an extension of one of these carries the cam shaft. To the upper end of the outer bracket is attached the 1/8 by 1 1/4 in. steel strap which holds the terminal block.

Contact Strips—The contact strips are cadmium plated steel 5/16 in. wide and 0.020 in. thick. They are 5 3/4 in. long and are attached at their lower ends by two bolts to phenolic composition blocks 2 in. wide, 3 1/8 in. long, and 3/8 in. thick. The upper of the two attachment bolts also forms a terminal bolt for the wiring connection. The nuts are held in place by lock washers. The spacing between contact strips is 7/16 in. To the upper ends of each strip is attached a silver contact button 5/16 in. in diameter by approximately 1/16 in. thick.

Cam—The outer or contact cam is the only one with which this report is concerned. It is a phenolic com-

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position disc $4\frac{1}{4}$ in. in diameter by $\frac{3}{8}$ in. thick having a right angle V-notch measuring 1 in. on each side. This cam is mounted on the cam shaft.

Upper Terminal Block—This is a phenolic composition block measuring $4\frac{1}{2}$ in. long, $2\frac{9}{16}$ in. wide, and $\frac{1}{4}$ in. thick. The angle clips carrying the stationary contacts are made of cadmium-plated steel $\frac{5}{16}$ in. wide by $\frac{1}{16}$ in. thick, and carrying at their lower ends steel contact buttons $\frac{5}{16}$ in. in diameter by about $\frac{1}{16}$ in. thick. These contact clips are spaced 7.16 in. apart.

Samples of the Westinghouse Type SC contact were subjected by the Underwriters' Laboratories Inc. (Report dated November 1, 1937) to each of the following tests prescribed by the Administrative Code and the contact has successfully met the requirements thereof:

1. Endurance test Sec. C26-1180.0
2. Current interruption test Sec. C26-1181.0
3. Test in moist atmosphere Sec. C26-1182.0
4. Test without lubricant Sec. C26-1183.0
5. Insulation test Sec. C26-1185.0

Inasmuch as misalignment of the door or car could not affect the operation of this assembly, it was considered unnecessary to conduct the usual misalignment test. The applicant has filed a letter dated June 19, 1942 certifying that the clearances between working parts of this device are such that it will satisfactorily function within the temperature range set forth in Sec. C26-1179.0,a of the Administrative Code.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Westinghouse Type SC Contact as having met the requirements of Article 14 of the Administrative Code for use in New York City, when installed in accordance with the pertinent provisions of the Administrative Code. All appliances manufactured under this approval shall be marked as required by Sec. C26-913.0 including the following: "Approved by Board of Standards and Appeals for use in New York City under Cal. No. 743-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and
WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 15, 1942.

Re: Cal. No. 744-40-SA

Subject: Westinghouse Type CH Contact, approval of.

The Westinghouse Electric Elevator Co., New York, N. Y. filed on July 5, 1940 with the Board of Standards and Appeals an application for approval of its appliance known as the Westinghouse Type CH Contact under the requirements of Sec. C26-178.0,b and Article 14 of the Administrative Code.

The Westinghouse Type CH Contact is an electric contact intended for power-operated horizontally-sliding elevator car doors of the single or varied speed type to prevent the movement of the elevator car unless the door is closed.

Assembly and Operation—This device consists of a contact switch housed in a metal box attached to the gear box of the door engine and actuated through a cam attached to the end of the driven gear shaft. The door engine is assembled in a cast-iron housing and consists of a gear and a motor-driven worm. The intermediate type of engine is provided with a set of reduction gears. The gear shaft projects through both sides of the housing. One end of the shaft is provided with a plate for attachment of the door arm. The other end of the shaft protrudes into the switch housing and carries a switch operating cam. A heavy type engine is used with the Type CH contact. The engine and the contact switch are mounted on the upper framework of the elevator car. The contact mechanism is adjustable, so that the amount of door opening, when the circuit is closed, can be regulated. The contact is actuated through the motion of the cam, as the gear shaft is rotated upon opening or closing the door. The cam is set in such a position on the shaft that the contacts close or open the circuit at a predetermined position of the door. The switch is so connected in the car-controlled circuit that the car cannot be started until the door is closed.

Construction Details—The switch mechanism is mounted in a cast-iron box having a minimum wall thickness of $\frac{1}{8}$ in. and closed by a cast-aluminum cover of the same thickness. The box is attached to the side of the gear housing with the end of the driven shaft protruding into it. Connection for $\frac{1}{2}$ in. conduit is provided on the end of the box. The two contact fingers are identical in construction. Each consists of a contact plate and an attachment bracket. The brackets are each secured to the molded bakelite mounting block by the terminal screw, which is provided with nut and crimp washer. The brackets are set in a groove, formed on the block, to prevent turning. The block is $3\frac{1}{4}$ in. long by $\frac{5}{8}$ in. thick by 1 in. wide and is attached to the rear wall of the box by two screws. The attachment bracket is made from flat brass stock $\frac{1}{2}$ in. wide by $\frac{3}{32}$ in. thick. The attachment end is formed at an angle with the projecting end. The projecting end is provided with a hole to accommodate the spring pin. The contact plate is approximately 3 in. long and is made from flat brass stock $\frac{1}{2}$ in. wide by 0.131 in. thick. The projecting end is formed with a U-shaped flatwise bend, which engages the cam contact. The opposite end is provided with a hole to accommodate the spring pin. The pin is passed through the hole in the bracket and the contact plate. A steel compression spring provided with a cup-retaining washer at each end is placed over the projecting end of the pin and held by a cotter pin. The movable contact is a cast-brass plate approximately $\frac{3}{32}$ in. thick formed on the arc of a circle. The sides of the plate at each end are formed with integral projections, which serve as contacts. The contact plate is attached to the bakelite

ad
WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Westinghouse Type SC Contact, *on condition* that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

14-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse Type CH Contact, approval of.
APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (744-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on July 5, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type CH Contact; and

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disc secured to the threaded end of the driven shaft by a nut.

Samples of the Westinghouse Type CH Contact were subjected by the Underwriters' Laboratories, Inc. (Report dated November 25, 1932) to each of the following tests prescribed by the Administrative Code and the contact has successfully met the requirements thereof:

1. Endurance test Sec. C26-1180.0
2. Current interrupting test Sec. C26-1181.0
3. Test in moist atmosphere Sec. C26-1182.0
4. Misalignment test Sec. C26-1184.0
5. Insulation test Sec. C26-1185.0

The applicant has filed a letter dated June 19, 1942 certifying that the clearances between working parts of this device are such that it will satisfactorily function within the temperature range set forth in Sec. C26-1179.0,a of the Administrative Code.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Westinghouse Type CH Contact as having met the requirements of Article 14 of the Administrative Code for use in New York City, when installed in accordance with the pertinent provisions of the Administrative Code. All appliances manufactured under this approval shall be marked as required by Sec. C26-913.0, including the following: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 744-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Westinghouse Type CH Contact, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

767-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse A-3 and A-3R Elevator Door Hangers, approval of.

APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (767-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on July 11, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse A-3 and A-3R Elevator Door Hangers; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 11, 1942.

Re: Cal. No. 767-40-SA.

Subject: Westinghouse Type A-3 and Type A-3R Elevator Door Hangers, Approval of.

The Westinghouse Electric Elevator Door Co., New York, N. Y., filed on July 11, 1940 with the Board of Standards and Appeals an application for approval under the requirements of Section C26-178.0,b and Article 14 of the Administrative Code of their elevator door hangers known as the Westinghouse Type A-3 and Type A-3R Elevator Door Hangers for use under the pertinent provisions of the Administrative Code.

The Westinghouse Type A-3 Elevator Door Hanger is constructed as follows: The tread of the ball-bearing sheave is made of heat treated alloy steel ground to a smooth surface to insure quiet operation. The tread is formed in the outer race of a grease sealed ball bearing.

Outside diameter of flanges 3-11/32 in.

Tread diameter 2-31/32 in.

Nominal diameter 3 1/4 in.

Balls (nine) diameter 3/8 in.

The track (track section 1/2 in. by 2 in.) is cold drawn of heat treated alloy steel to obtain a surface that will not erode as the sheaves pass over it many times. The top of the track is designed with a curvature to obtain self-alignment and the maximum width of active pathway, thus providing for quiet operation. The upthrust roller is a grease sealed ball-bearing roller 1 3/8 in. in diameter, which is adjusted by rotating the eccentric supporting shaft. The hanger frame is a one piece stamping of steel 1/4 in. thick. The supporting sheave is mounted to the frame by a large diameter steel stud, which passes through the frame. A special forming operation expands the end of the stud which projects through the frame, securely locking it in its place. The weight of the elevator door approximates 150 pounds.

The Type A-3R hanger is the same as the A-3 hanger except that the sheave is provided with a tread of rubber. It is intended for use on hospital and apartment house elevator doors where unusually quiet operation is desired. The rubber is bonded to the steel rim by vulcanizing, the steel rim being then pressed onto the ball bearing outer race. The edges of the steel rim which contains the rubber tread are crimped over the outer race of the ball bearing securely locking the rim to the bearing outer race. Outside diameter of flanges is 4 3/8 in.; tread diameter 4 inches.

The applicant has submitted affidavits certifying that the Westinghouse Type A-3 and Type A-3R Hangers are so designed that they will withstand a downward thrust of five times the weight of the door and an upward thrust of four times the weight of the door as required by Section C26-904.0 of the Administrative Code.

Recommendations

On the basis of the foregoing data the Committee on Tests recommends the approval of the Westinghouse Type A-3 and Type A-3R Elevator Door Hangers for use under Article 14 of the Administrative Code when installed in accordance with all the pertinent provisions thereof; each hanger shall be marked as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 767-40-SA." It is further recommended that this approval be granted tentatively and that the applicant furnish test data establishing the integrity of the equipment in a 1 1/2 hour fire endurance test.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

MINUTES

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Westinghouse Type A-3 and A-3R Elevator Door Hangers, *on condition* that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

768-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse B-3 and B-3R Elevator Door Hangers, approval of.

APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (768-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on July 11, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as Westinghouse B-3 and B-3R Elevator Door Hangers; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 8, 1942.

Re: Cal. No. 768-40-SA

Subject: Westinghouse B-3 and B-3R Elevator Door Hangers, Approval of.

The Westinghouse Electric Elevator Company, New York, filed on July 11, 1940 with the Board of Standards and Appeals an application for approval under the requirements of Section C26-178.0,b and Article 14 of the Administrative Code, of their material known as the Westinghouse B-3 and B-3R Elevator Door Hangers for use under the pertinent provisions of the Administrative Code.

The Westinghouse B-3 Elevator Door Hanger is constructed as follows: The tread of the ball bearing sheave is made of heat treated alloy steel ground to a smooth surface to secure quiet operation. The tread is formed in the outer race of a grease sealed ball bearing; outside diameter of flanges—2.44 in; tread diameter—2.065 in. The track (cross section $\frac{3}{8}$ " x $1\frac{1}{2}$ ") is cold drawn of heat treated alloy steel to obtain a surface that will not erode as the sheaves pass over it many times. The top of the track is designed with a curvature to obtain self-alignment and the maximum width of active pathway. The upthrust roller (diameter— $\frac{31}{32}$ in.) is bronze bushed and is adjusted by rotating its eccentric supporting shaft. The hanger frame is a one piece stamping of steel $\frac{1}{4}$ in. thick. The supporting sheave is mounted to the frame by a large diameter steel stud, which passes through the frame. A special forming operation expands the end of the stud, which projects through the frame, securing it in place. The weight of the elevator door approximates 150 lbs.

The Westinghouse B-3R Elevator Door Hanger is the same as the B-3 except that the sheave is provided with a tread of rubber. It is intended for use in hospital and apartment house elevator doors, where unusually quiet operation is desired. The rubber is bonded to the steel rim by vulcanizing. The steel rim is then pressed onto the ball bearing outer race. The edges of the steel rim which contains the rubber tread are crimped over the outer race of the ball bearing,

securely locking the rim to the bearing outer race. Outside diameter of the flanges is $3\frac{3}{8}$ in. and the diameter of the tread is 3 in.

The applicant has submitted affidavits certifying that the Westinghouse B-3 and B-3R Elevator Door Hangers are so designed that they will withstand a downward thrust of five times the weight of the door and an upward thrust of four times the weight of the door, as required by Section C26-904.0 of the Administrative Code.

Recommendations

On the basis of the foregoing data the Committee on Tests recommends the approval of the Westinghouse B-3 and B-3R Elevator Door Hangers for use under Article 14 of the Administrative Code, when installed in accordance with all the pertinent provisions thereof; each hanger shall be marked as follows: "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 768-40-SA." It is further recommended that this approval be granted *tentatively* and that the applicant furnish test data establishing the integrity of the equipment in a $1\frac{1}{2}$ hour fire endurance test.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Westinghouse B-3 and B-3R Elevator Door Hangers, *on condition* that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

1150-40-SA.

APPLICANT—Westinghouse Electric Elevator Co., owner.
SUBJECT—Westinghouse Type FC Gate Contact, approval of.

APPEARANCES—

For Applicant: Stanley Ferguson.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1150-40-SA)

WHEREAS, the Westinghouse Electric Elevator Co., owner, filed on December 4, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type FC Gate Contact; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 16, 1942.

Re: Cal. No. 1150-40SA.

Subject: Westinghouse Type "FC" Gate Contact, approval of.

The Westinghouse Electric Elevator Co. filed on December 4, 1940 an application with the Board of Standards and Appeals for approval of its appliance known as the Westinghouse Type "FC" Gate Contact under the requirements of Sec. C26-178.0,b and Article 14 of the Administrative Code.

MINUTES

The Westinghouse Type "FC" Gate Contact is designed for use on manually-operated vertically-sliding or counterbalanced elevator car gate on freight elevators with either car switch or automatic control. It renders impossible the operation of the car unless the gate is in the closed position.

Assembly and Operation:

This device consists of a mounting base, an enclosing cover, a stationary contact assembly, a movable contact assembly, a counter-weighted contact operating arm, a threaded operating rod and operating cam, and the necessary pins and screws for assembling. The switch assembly is mounted on the corner post of the car near the top. The cam is mounted on the same post below the switch. A threaded rod inter-connects the cam with the switch. The gate bar is located on the edge of the gate in a position so that the upward movement of the gate actuates the cam to close the switch contacts. The switch is of the normally open type having a switch operating arm which is counter-weighted so as to positively open the contacts by gravity. A compression spring is provided on the arm for quicker operation. The switch is connected in the circuit so that when the gate is in the closed position, the circuit to the elevator control is closed and the car may be operated. When the gate is slightly raised or in the full open position, the switch is in the open position and the circuit to the elevator control is opened, making the car inoperable.

Construction Details:

Enclosure: The enclosure comprises the mounting base and the housing. The mounting base forms the bottom and ends of the enclosure. It is an iron casting formed with two projections at one end to accommodate the contact operating arm which is attached to them by a $\frac{1}{2}$ in. diameter bronze hinge pin. The opposite end is provided with a $\frac{7}{8}$ in. diameter hole for conduit connection. The casting has a minimum wall thickness of $\frac{3}{16}$ in. except the upper edges of the sides which are decreased in thickness to accommodate the housing. The bottom of the base is provided with two $\frac{5}{16}$ in. tapped holes for mounting screws. The housing is channel shaped and made from No. 16 USG (0.062 in.) sheet steel. It is approximately $6\frac{3}{8}$ in. long, 2 in. wide, $1\frac{3}{4}$ in. deep. It is secured to the base by two screws.

Contacts: The stationary contact assembly comprises essentially two spring-loaded contact fingers and two terminals assembled to a mounting block. The mounting block is of molded phenolic insulating material with two recessed holes by which it is secured to the mounting base by two screws. It is formed with two sides and a center barrier forming two slots into which the contact fingers are mounted. Each contact finger is mounted to a fixed plate attached to the block. Both parts are $\frac{3}{32}$ in. thick by $\frac{5}{16}$ in. wide cadmium plated copper. The contact fingers are each provided with a bent narrow extension which is placed in a hole in the lower plate to form a hinge. A spring-loaded pin extends through each contact finger and the lower plate. The lower plates are each secured to the block by the terminal screw. The two terminal screws are each provided with a washer with upturned lugs, a lock washer and a nut. A silver contact button $\frac{5}{16}$ in. in diameter by $\frac{1}{16}$ in. thick is riveted to the projecting end of each finger. Each contact finger is electrically connected to the terminal posts by a short length of stranded conductor comprising 280 strands of 0.002 in. diameter copper wire. The two stationary contacts are mounted on a bridging plate of cadmium plated copper 0.059 in. thick, approximately $1\frac{1}{8}$ in. long and $\frac{7}{8}$ in. wide. A bolt secures the plate to a phenolic composition block $1\frac{1}{4}$ in. long, $\frac{3}{4}$ in. wide by $\frac{3}{8}$ in. thick. One edge of the block is formed with a projection to prevent turning of the bridging plate. The block is secured to

the operating arm by two screws. A strip of $\frac{1}{32}$ in. thick phenolic material is placed between the plate and the block. Two silver contact buttons identical with those of the contact fingers are riveted to the plate.

Contact Operating Lever and Spring: The lever which operates the contact is of cast iron formed with a bossed portion at the front and $\frac{15}{16}$ in. wide, by 1 in. in diameter and provided with a hole to accommodate the bronze hinge pin. The outer end is formed with a yoke to which the tie-rod block is hinged by a $\frac{1}{2}$ in. diameter steel pin. The casting has a minimum thickness of $\frac{3}{16}$ in. The spring employed with the operating arm is of the compression type made from $\frac{1}{16}$ in. of $\frac{1}{2}$ in. and a free length of $1\frac{11}{16}$ in. It is mounted between two nubs formed on the switch base and on the operating arm.

Cam and Tie Rod: The cam is of cast iron having a minimum thickness of $\frac{1}{4}$ in. and formed with three projections. One projection is provided with a $\frac{3}{8}$ in. diameter hole to accommodate the tie-rod block. The other two projections serve as the cam surface. A hole is provided near the center of the cam and is equipped with a bronze bushing $\frac{1}{2}$ in. I.D. to accommodate the pivot pin. The tie rod is a length of $\frac{3}{8}$ in. diameter steel rod provided with long threads at each end. A steel block is threaded to each end of the rod. The two blocks are of steel $\frac{5}{8}$ in. thick, $1\frac{1}{4}$ in. wide by $2\frac{1}{2}$ in. long. Each block is equipped with a bronze bushed hole to accommodate the hinge pin.

Spacings: A spacing of $\frac{1}{2}$ in. through air is provided between exposed non-arcing current-carrying parts and the enclosure. The distance between uninsulated live parts and parts which may be grounded when the device is installed is not less than $\frac{3}{8}$ in. as measured over the surface of insulating material and $\frac{1}{4}$ in. as measured through air. Suitable liners or barriers are provided where these spacings are not provided.

Protection Coating: All parts of ferrous materials are provided with a coating of paint. The screws and nuts employed are cadmium plated.

Samples of the Westinghouse Type "FC" Gate Contact were subjected by the Underwriters' Laboratories, Inc. (Report on Safety Appliance 35, dated April 15, 1940) to each of the following tests prescribed by the Administrative Code and the gate contact has successfully met the requirements thereof:

1. Endurance test Sec. C26-1180.0
2. Current interrupting test Sec. C26-1181.0
3. Test in moist atmosphere Sec. C26-1182.0
4. Misalignment test Sec. C26-1184.0
5. Insulation test Sec. C26-1185.0

The applicant has filed a letter dated June 19, 1942 certifying that the clearances between working parts of this device are such that it will satisfactorily function within the temperature ranges set forth in Sec. C26-1179.0a, of the Administrative Code.

Recommendations

On the basis of the foregoing data the Committee on Tests recommends the approval of the Westinghouse Type "FC" Gate Contact as having met the requirements of Article 14 of the Administrative Code for use in New York City, when installed in accordance with the pertinent provisions of the Administrative Code. All appliances manufactured under this approval shall be marked as required by Sec. C26-913.0, including the following: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1150-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

MINUTES

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Westinghouse Type FC Gate Contact, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

339-42-SM.

APPLICANT—Scovill Manufacturing Company, owner.
SUBJECT—Scovill Manufacturing Company, Rubber Covered Hose Nozzle, Cat. H-227, and Scovill Manufacturing Company, Spike Sprinkler Cap. Cat. H-250, approval of.

APPEARANCES—

For Applicant: L. R. Bach.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests as to Rubber Hose Nozzle and withdrawn as to Spike Sprinkler Cap, Cat. H-250.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (339-42-SM)

WHEREAS, the Scovill Manufacturing Company, owner, filed on April 23, 1942, an application with the Board of Standards and Appeals for approval of the material known as the Scovill Manufacturing Company Rubber Covered Hose Nozzle, Cat. H-227 and the Spike Sprinkler Cap, Cat. H-250; and,

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 13, 1942.

Re: Cal. No. 339-42-SM

Subject: Scovill Manufacturing Company Rubber Covered Hose Nozzle Cat. H-227, approval of.

The Scovill Manufacturing Company of Waterbury, Connecticut, filed April 23, 1942, an application with the Board of Standards and Appeals for approval of the Scovill Manufacturing Company Rubber Covered Hose Nozzle, Cat. H-227, under the provisions of Section 666, Par. 1 of the New York City Charter.

This is a hose nozzle with a rubber cover threaded for attachment to standard garden hose and adjustable for a solid stream or various types of spray. It is designed for use in extinguishing incendiary bombs and secondary fires. This nozzle is constructed of heavy wrought brass with the nose piece covered with corrugated rubber vulcanized in place. The nozzles weigh 0.4 lbs. each and are adjustable through all types of spray by turning ribbed adjusting sleeve.

The following table gives characteristics when nozzle is adjusted to full stream.

Pressure at Sillcock	Gallon Discharged per min.
10 lbs.	3
20 lbs.	3½
30 lbs.	4
40 lbs.	4½
50 lbs.	5¼
60 lbs.	6

Tests were conducted by the Central Testing Laboratory, City of New York Department of Purchase, and it was found that under a pressure of 45 to 55 lbs. the approximate length of stream was 30 ft. and the length of spray 15 ft. The shape of spray was conical and the diameter of spray 4 ft. measurement taken to center of cone.

The nozzles have been inspected and tested by the Committee on Tests of the Board.

On the basis of the inspection and test of the Committee on Tests as of the Central Testing Laboratory, it is recommended that the Scovill Manufacturing Company Rubber Covered Hose Nozzle be approved for use with hose to be used in extinguishing incendiary bombs, under the provisions of Sec. 666, Par. 1, of the New York City Charter when constructed and used in accordance with this report and provided the nozzle be labelled: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 339-42-SM."

The request for approval of Spike Sprinkler Cap H-250 has been withdrawn.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Scovill Manufacturing Company Rubber Covered Hose Nozzle, on condition that the material be manufactured and labelled, stamped or tagged in accordance with above report.

424-42-SM.

APPLICANT—S. H. Pomeroy Company, Incorporated, owner.

SUBJECT—Jackson System (fastenings for Acoustical and Insulating Materials for Walls and Ceilings), approval of.

APPEARANCES—

For Applicant: N. L. Jackson and Joseph E. Quinn.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

Note—The report of the Committee on Tests and the resolution of the Board relative to the approval of the "Jackson System" will be printed in a subsequent issue of the Bulletin.

Adjourned 4:15 P.M.

JOSEPH J. DOYLE, Chief Clerk

RULES

RULES FOR INSPECTION OF APPROVED OPENING PROTECTIVE ASSEMBLIES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS OCTOBER 20, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, NOVEMBER 13, 1939.

(1139-39-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York and C26-189.0 Administrative Building Code (2.2.1.1.) and C26-610.0 Administrative Building Code (10.1.18) and C26-660.0, 661.0 and 662.0 Administrative Building Code (10.8.1, 2 and 3).

Note: Where reference in parenthesis appears after the Administrative Building Code section it refers to the section of the New Building Code as formerly numbered.

Rule 1 Scope.

1.1 Before any Opening Protective Assembly is used under the provisions of the Administrative Building Code, it shall be tested as required in Section C26-610.0 (10.1.18) and its Fire-Resistive Rating shall be designated as "¾-Hour", "1-Hour", "1½-Hour", or "3-Hour", in accordance with the approval.

1.2 Before engaging in the manufacture of approved Opening Protective Assemblies, the manufacturer shall have an established plant completely equipped with the necessary facilities, machinery and tools for the manufacture of the Opening Protective Assemblies.

1.3 Before applying for approval of plant and permission to manufacture approved Opening Protective Assemblies, the manufacturer shall file a list of his equipment and facilities with the Board of Standards and Appeals, together with a statement of the name, type, specifications and details of the approved door, which he agrees to manufacture in accordance with the rules and regulations of the Board and the requirements of the Administrative Building Code.

1.4 All Opening Protective Assemblies made under any approval issued by the Board of Standards and Appeals for the manufacture of approved Opening Protective Assemblies of "¾-Hour", "1-Hour", "1½-Hour" or "3-Hour" rating shall be rejected on evidence that such Opening Protective Assemblies are not manufactured or labelled in accordance with the approved specifications of the Board.

Rule 2—Inspection.

2.1 No Opening Protective Assemblies shall be installed in any building until such Opening Protective Assemblies have been inspected and labelled either by the Borough Superintendent, or by a recognized testing laboratory or other qualified person or agency approved by the Board as having proper facilities.

2.2 Before issuing any label for the use of an approved Opening Protective Assembly, the authorized inspection agency shall first notify the Borough

Superintendent that inspection will be made by him of the materials and construction entering into the assembly of the Opening Protective Assemblies, stating the location of the premises where the Opening Protective Assemblies will be used, the Building Permit number, the name of the approved Opening Protective Assembly and the manufacturer and the number of such units to be manufactured.

Note: Where an Opening Protective Assembly is of fire-proofed wood, such wood shall be submitted to tests for fireproofed wood, as prescribed in the Administrative Building Code, Section C26-331.9 (7.2.3.1 to 7.2.3.9, inclusive).

2.3 After the materials have been cut and inspected the authorized inspection agency shall inspect the assembly and fabrication of the parts and shall issue an approved label only if the completed Opening Protective Assemblies comply in all respects with the approved specifications on file in the Board of Standards and Appeals.

Rule 3—Labels.

3.1 Every approved Opening Protective Assembly before installation in a building under the provisions of the Administrative Building Code, shall have securely attached to it, a metal label of a design approved by the Board, giving the name of the Opening Protective Assembly, the calendar number of the approval of the device, the fire-resistive rating, the serial number of the specific type of door and buck, or window, the year of manufacture and the name of the inspection agency.

3.2 After attachment of the Serial Label to the Opening Protective Assembly, the inspection agency shall advise the Borough Superintendent the serial numbers, the address of the premises and the Building Permit numbers of the approved Opening Protective Assembly.

3.3 The manufacturer may also attach to the Opening Protective Assembly, a metal label giving the name and location of the manufacturer. He shall also keep an office record showing the location of each Opening Protective Assembly manufactured by him, its serial label number and the Building Permit number; and this record shall be open for inspection by any authorized representative of the Board of Standards and Appeals and the Department of Housing and Buildings.

3.4 Every labelled Opening Protective Assembly shall be constructed and installed in all essentials as tested and approved and arranged to receive hardware of an equal type, quality and material and requiring no greater cutting away of the wood or metal than on the approved Opening Protective Assembly, as tested.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 31

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the Board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to July 28, 1942.

Cal. No. Dept. Premises Affected.

585-42-BZ—H.B.R.—4091 Hylan boulevard and 293 Nelson avenue, northeast corner (Block No. 5158, Lot No. 37), Great Kills, Borough of Richmond, N. B. 555-42.

586-42-BZ—H.B.R.—168 Richmond terrace and 1-7 Stuyvesant place, southerly intersection (Block No. 12, Lot No. 11), St. George, Borough of Richmond, Alt. 153-42.

587-42-BZ—H.B.Bx.—551 East 149th street and 555 St. Ann's avenue, northwest corner (Block No. 2276, Lot No. 57), Borough of The Bronx, Alt. 426-42.

588-42-A—F.D.—358 Bushwick avenue, 151 Moore street, northwest corner and 70 Morrell street, northeast corner of Moore street (Block No. 3099, Lot No. 1), Borough of Brooklyn, 7876-L. F. and Decision.

589-42-S—F.D.—62-10 Woodside avenue, south side from 62nd to 63rd streets (Block No. 1337, Lot No. 27), Woodside, Borough of Queens, Decision.

590-42-A—F.D.—225 West Burnside avenue, north side between Sedgwick avenue and Osborne place and 1900 Sedgwick avenue (Block No. 3222, Lot No. 162), Borough of The Bronx, 29364-L. C. and Decision.

591-42-SA—Celestial Fire Extinguishing Liquid, manufactured by Mary Caruso, Appliance.

592-42-S—H.B.M.—124 Baxter street, west side, 97 ft. 10 in. south of Hester street (Block No. 207, Lot No. 16), Borough of Manhattan, Alt. 805-42.

593-42-A—H.B.M.—124 Baxter street, west side, 97 ft. 10 in. south of Hester street (Block No. 207, Lot No. 16), Borough of Manhattan, Alt. 805-42.

594-42-A—H.B.Q.—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593 and 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens, N. B. 855-42.

595-42-S—F.D.—43-02 Ditmars boulevard, southwest corner of 45th street (Block No. 782, Lot Nos. 1, 25, 26, 47 and 48), Astoria, Borough of Queens, Decision.

596-42-BZ—H.B.B.—30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block No. 4102, Lot Nos. 19 and 35), Borough of Brooklyn, N. B. 313-42.

597-42-S—F.D.—30-02 to 30-20 Thomson avenue, south side from 30th street to 30th place (Block No. 274, Lot No. 1); (6th floor), Long Island City, Borough of Queens, Decision.

598-42-A—F.D.—215 Shell road, east side, 225 ft. north of Circumferential parkway (Block No. 7232, Lot No. 70, Block No. 7233, Lot Nos. 93 and 90), Borough of Brooklyn, 92352-L. C.

599-42-A—F.D.—219-08 40th avenue, south side, 60 ft. east of 219th street (Block No. 6313, Lot No. 4), Bayside, Borough of Queens, 92114-C and Decision.

600-42-A—F.D.—810 East 136th street, south side, 300 ft. east of Willow avenue (Block No. 2587, Lot No. 11), Borough of The Bronx, 31285-L. C. and Decision.

601-42-S—H.B.M.—2253-2259 Broadway and 252-254 West 81st street, southwest corner (Block No. 1228, Lot No. 57), Borough of Manhattan, Alt. 654-42, Amendment.

Restored to Calendar.

58-30-BZ—H.B.Q.—73-13 to 73-21 Cooper avenue and 71-34 to 71-38 73rd place, northwest corner (Block No. 3691, Lot No. 19), Glendale, Borough of Queens, Alt. 1145-42.

302-41-BZ—H.B.R.—2505 Victory boulevard (2485 displayed) and 538 Willowbrook road, northeast corner (Block No. 486, Lot No. 8), Willow Brook, Borough of Richmond, N. B. 105-41.

177-33-BZ—H.B.B.—1510-1522 Rockaway parkway and 9616-9626 Flatlands avenue, southwest corner (Block No. 8204, Lot Nos. 42 and 44), Borough of Brooklyn, N. B. 311-42.

424-42-SM—Jackson System (Fastenings for Acoustical and Insulating Materials for Walls and Ceilings), manufactured by S. H. Pomeroy Co., Inc.

226-42-A—F.D. and H.B.Q.—34-19 10th (Hancock) street, east side, 146 ft. south of 34th avenue (Block No. 325, Lot No. 15 and part of Lot No. 9), Long Island City, Borough of Queens, Alt. 190-42 and 90698-D.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

CALENDAR

RULES

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Carbon Dioxide Liquefier, Rules	Mar. 10, 1942—Vol. 27, No. 10	
Certificates of Occupancy, approved form	Nov. 25, 1941—Vol. 26, No. 47	
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28	
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June 24, 1941—Vol. 26, No. 25	
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31	
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Fire-resistant, Flameproof Materials, etc., Rules for Testing of	Apr. 28, 1942—Vol. 27, No. 17	
Fire Retarding Rules for Garages, etc.	Dec. 16, 1941—Vol. 26, No. 50	
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15	
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3	
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Insulating Fibre Board Rules	Mar. 31, 1942—Vol. 27, No. 13	
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Paint, Varnish and Lacquer Spraying Rules	Nov. 25, 1941—Vol. 26, No. 47A	
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47	
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Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 25, 1941—Vol. 26, No. 47A	
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36	
Refrigerating Systems, Extract A.C.	Aug. 26, 1941—Vol. 26, No. 34	
Smoking in Factories, Rules for	Aug. 4, 1942—Vol. 27, No. 31	
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26	
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23	
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23	
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47	
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47	
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15	

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fireline Hose Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 47A
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Gas Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Paint, Varnish and Lacquer Spraying Equipment	Nov. 25, 1941—Vol. 26, No. 47A
Large Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Vacuum Breakers	Nov. 25, 1941—Vol. 26, No. 47A

SEPTEMBER 9, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Wednesday morning, September 9, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

3-42-BZ—Application, January 29, 1942, under section 1 of the zoning resolution, of Joseph Lau, applicant, on behalf of Tov Realty Company, owner (David Morris, lessee), to permit in a business use district, the maintenance of a non-flashing illuminated sign not conforming with the requirements of the zoning resolution; premises 2517-2519 Seventh Avenue and 164 West 146th Street, southeast corner Block No. 2014, Lot No. 61), Borough of Manhattan.

4-42-BZ—Application, June 15, 1942, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Temple Beth-El, owner, to permit in a residence use and, so, an F area district, the alteration and also the extension of area of a building which will not conform with the requirements of the zoning resolution; premises 121-02 121-16 Rockaway Beach Boulevard, north side, from

Beach 121st Street to Beach 122nd Street, 201 Beach 121st Street and 202 Beach 122nd Street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

530-42-BZ—Application, July 1, 1942, under section 7h of the zoning resolution, of Millard Henlein, applicant, on behalf of Board of Transportation, City of New York, owner (Abraham Goldenblum and Samuel Goldenblum, lessees), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 360-374 Sixth Avenue, east side, from Washington Place to Waverly Place, 126-130 Waverly Place and 87 Washington Place (Block No. 552, Lot No. 37), Borough of Manhattan.

108-42-BZ—Application, February 5, 1942, under section 7h of the zoning resolution, of Judson E. Schnall, applicant, on behalf of Madbeck Holding Corporation, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 81-85 Seeley Street, north side, 25 ft. west of 19th Street (Block No. 5261, Lot No. 17), Borough of Brooklyn.

457-42-BZ—Application, June 5, 1942, under section 21 of the zoning resolution, of Bernhardt E. Muller, applicant, on behalf of Eighth Church of Christ, Scientist, owner, to permit in a residence use and, also, a B area district, the erection and maintenance of a building (a church) which does not comply with the rear yard requirements of the zoning resolution; premises 103-107 East 77th Street, north side, 100 ft. east of Park Avenue and 230 ft. west of Lexington Avenue (Block No. 1412, Lot Nos. 5 to 7, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 9, 1942, 2 P. M.

Appeal from Administrative Decision.

562-42-A—72-35 Elizabeth Avenue, south side, 320 ft. west of Beach 72nd Street (Block No. 521, Lot No. 1), Arverne, Borough of Queens (under section 35, General City Law re bed of mapped street—Barbados Drive).

SEPTEMBER 15, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 15, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

559-37-BZ—Application of Samuels and Samuels, applicants, on behalf of Fellman Realty Corporation, owner, re-opened April 28, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3996 Tenth Avenue and 501 West 213th Street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

542-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Haganman, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 936 Richmond Avenue, west side, 143.31 ft. south of Forest Avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

SEPTEMBER 15, 1942, 2 P. M.

Appeals from Administrative Decisions.

529-42-A—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn.

360-42-A—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

359-42-S—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

571-42-A—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens.

493-42-A—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

494-42-S—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

551-42-A—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

SEPTEMBER 29, 1942, 10 A. M.

Zoning Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 29, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

442-42-BZ—Application, May 28, 1942, under section 7c of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 29, 1942, 2 P. M.

Appeal from Administrative Decision.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (1st floor, front room); (Block No. 1198, Lot No. 23), Borough of Manhattan.

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BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

THURSDAY MORNING, JULY 23, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASE.

465-42-BZ.

APPLICANT—Jack Z. Cohen, for 8302 Atlantic Avenue Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7a and 7c of the zoning resolution, to permit in a residence use district, the extension of an existing factory building by the construction and use of a new cellar.

PREMISES AFFECTED—83-02 to 83-20 Atlantic avenue, 94-01 to 94-15 83rd street, southeast corner and 94-02 to 94-16 84th street (Block No. 9014, Lot Nos. 1 and 11), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Larry Meltzer, J. F. Farrell and M. Hermann.

For Opposition: S. M. Slaigh.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (465-42-BZ)

WHEREAS, Jack Z. Cohen, for 8302 Atlantic Avenue Corporation, owner, filed June 11, 1942, an application under section 7a of the zoning resolution, to permit in a residence use district, the extension of an existing factory building

by the construction and use of a new cellar; premises 83-02 to 83-20 Atlantic avenue, 94-01 to 94-15 83rd street, southeast corner, and 94-02 to 94-16 84th street (Block No. 9014, Lot Nos. 1 and 11), Ozone Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting July 23, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Atlantic avenue is in a residence use district; 84th street and 83rd street are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, dated June 10, 1942, on Alt. Applic. No. 1022-42 reads:

"1. Enlarging the cubage of a factory in a residence use district is not permitted by Sec. 6 and is therefore contrary to Section 3 of the zone resolution."

and

WHEREAS, the existing building is two stories in height, of Class 3 construction, 120 ft. frontage on Atlantic avenue and 100 ft. on 83rd street. It is proposed to erect a cellar under the existing factory (for metal products) building; the proposed cellar is irregular in area; having a frontage of 80 ft. along 83rd street and 16 ft. along Atlantic avenue. It is proposed to use the cellar for storage, cutting and polishing metal; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Committee recommended the application be granted in view of the fact no extension of the building above grade was proposed; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7-subdivision a of the zoning resolution.

Resolved, that the Board of Standards and Appeals do hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7-thereof, to permit the construction of a cellar under portion of the building, substantially as indicated on plans file

MINUTES

herein, *on condition* that there shall be no opening from such cellar to the existing cellar boilerroom; that the boilerroom shall have no openings to any portion of the factory and shall be enterable only from the exterior; that the sprinkler system shall be continued within the cellar space as an extension of the existing voluntary system; that in all respects the construction of the cellar area shall comply with the requirements of the Building Code; that no fires shall be maintained on the open areas adjoining the premises; that all waste material to be removed from the building and disposed of elsewhere; that the ventilating ducts in connection with the spraying, plating and etching shall be continued so as to exhaust at least 10 ft. above the highest roof and shall be equipped with diffusing and filtering medium; that space shall be provided upon the vacant portion of the property for the parking of cars of employees and for recreation space, and instruction shall be given to employees to use such space during lunch-hour periods rather than the adjoining streets; that proper permits shall be obtained for all spraying and storage of paint materials and other materials and the approval of use subject to the jurisdiction of the Division of Combustibles of the Fire Department; that the building shall not be further increased in height or area; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and other than as modified by the Board under Cal. No. 575-42-S; that all permits required shall be obtained and all work completed with six (6) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

440-42-A.

APPLICANT—Carroll Blake, Borough Superintendent, Department of Housing and Buildings, Borough of Brooklyn.

OWNER OF PREMISES—Paragon Oil Company, Incorporated.

SUBJECT—Application for Revocation of Certificate of Occupancy, No. 81089-37, N. B. Applic. 5620-34, N. B. 7436-36 and Permit No. 6544-34.

PREMISES AFFECTED—2462-2470 Cropsey avenue (2434-2442 displayed), west side, between Bay 37th street and Bay 38th street (Block No. 6928, Lot No. 1, Block No. 6942, Lot No. 93 and Block No. 6946, Lot No. 377), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Hannes.

For Opposition: John J. Morro and Benjamin Spring.

ACTION OF BOARD—Placed on Reserve Calendar, applicant either to prove to Bldg. Dept. by specific evidence his right to the driveway on site in question or to make application to the Board for a variance for same under the Zoning Resolution.

52-42-A.

APPLICANT—Sam Bilgrei, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—3511 Peartree avenue, west side, 238.62 ft. south of Boston road (Block No. 5282, Lot No. 15), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis J. Opal.

ACTION OF BOARD—Laid over to July 28, 1942 at 2 P. M., at request of applicant's representative.

5-42-A.

APPLICANT—Brooklyn Bridge Freezing and Cold Storage Company, lessee, Etta C. Mollenhauer, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—282 Front street, north side, 124 ft. 3 in. west of Roosevelt street (Block No. 108, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Nathaniel Phillips, M. N. Dusek, Thomas C. O'Brien and N. Hamilton Cooke.

ACTION OF BOARD—Laid over to July 28, 1942 at 2 P. M., for further consideration by the Board.

490-42-A.

APPLICANT—Max Siegel, for Lyoles Realty Corporation, owner (N. H. Lyons and Co., Inc., lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—355 Pearl street and 44 Myrtle avenue, southeast corner (Block No. 146, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: Max Siegel.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

512-42-S.

APPLICANT—Max Siegel, for Three Seven Nine Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent.

PREMISES AFFECTED—8-10 East 49th street, south side, 175 ft. east of Fifth avenue (Block No. 1284, Lot No. 65), Borough of Manhattan.

APPEARANCES—

For Applicant: Max Siegel and A. W. Mahony.

ACTION OF BOARD—Application withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

527-42-A.

APPLICANT—Shephard Warehouses, Incorporated, lessee, for Virginia R. Becker, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—667-675 Washington street and 279 West 10th street, northeast corner (Block No. 631, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Anthony Mullen.

ACTION OF BOARD—Appeal withdrawn by applicant after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative 0

445-42-A.

APPLICANT—Hotel Park View, Inc. lessee, for Mutual Life Insurance Co., owner.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—208-210 W. 56th street, south side, 122 ft. 7 in. east of Broadway (Block No. 1027, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Port.

ACTION OF BOARD—Appeal denied.

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THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Deputy
Chief Murphy 2
Negative: Commissioners Savage and Blum.... 2

THE RESOLUTION (445-42-A)

WHEREAS, Hotel Park View, Inc., lessee for Mutual Life Insurance Company, owner, filed on June 1, 1942, an appeal from an order of the fire commissioner affecting premises 208-210 West 56th street, south side, 122 ft. 7 in. east of Broadway (Block No. 1027, Lot No. 40), Borough of Manhattan; and

WHEREAS, Order No. 13884-LF, issued by the fire commissioner March 12, 1942, and referred to in a decision of the fire commissioner dated May 23, 1942, reads:

"3. Provide telegraphic communication with Fire Department Headquarters, as provided for by the Administrative Code. 487e, 2-0 b, Adm. Code."

and

WHEREAS, the applicant states that the building is 8 stories (96 ft.) in height; 40 ft. by 100 ft. in area; of Class 1 construction, equipped with a standpipe system; located in a retail use district; erected about 35 years ago and used throughout as a hotel with an occupancy of 5 persons on each floor; and

WHEREAS, the applicant contends that although the entrance to the building is 216 ft. from the fire alarm box located at 7th avenue and 56th street, the distance from the side of the building nearer 7th avenue to this box is less than 200 feet and the distance from the hotel entrance to the nearest Police box is 130 feet; that there is no cooking done on the premises; there is no restaurant in the hotel; that the hotel caters only to permanent guests and there are only three to four on each floor; that the building is entirely fireproof; that there has been no fire in the building in the last 18 years; that a watchman's clock system is in operation throughout the building; that there is a fire alarm system throughout the building; that the building is equipped with a sprinkler system and there is a telephone switchboard in the lobby constantly manned by an operator; that there is ample fire hose on each floor, together with the extinguishers on each floor; that the installation of telegraphic communication with the Fire Department will entail considerable hardship upon the owner, since it will require not only the immediate expenditure but a similar payment each year for the upkeep and rental of such equipment. In view of the aforementioned details it is requested that the order of the fire commissioner be dismissed; and

WHEREAS, the Fire Department representative stated to the Board that the distance from the entrance to the building to the fire alarm box is 240 ft.

Resolved, that Order No. 13884-LF, Objection No. 3 of the Fire Commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

491-42-S.

APPLICANT—Harry L. Kenyon, for Vulcan Proofing Company, lessee, for Bay Ridge Dock Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—5712-5728 First avenue, northwest side, 120 ft. southwest of 57th street (Block No. 827, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry L. Kenyon and C. H. Higginson.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (491-42-S)

WHEREAS, Harry L. Kenyon, for Vulcan Proofing Company, lessee, for Bay Ridge Dock Company, owner, filed June 16, 1942, an application for variation of the Labor Law as cited in a decision of the fire commissioner, premises 5712-5728 First avenue, northwest side, 120 ft. southwest of 57th street (Block No. 827, Lot No. 12), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated May 18, 1942, reads:

"In response to your letter of May 14th, you are advised that your application for a permit for your employees to smoke in certain sections of your plant must be denied.

Smoking is prohibited by the provisions of the Labor Law and inasmuch as your premises do not come within the classification of the rules adopted by the Board of Standards and Appeals where smoking is permitted we have no alternative but to deny your request."

and

WHEREAS, the building is of Class 1 construction, three stories, (30 ft.) in height, 130 ft. by 308 ft. in area; erected in 1918; located in an unrestricted use district; occupied as follows: Subcellar, boiler room, 2 persons; cellar, maintenance repair shop and shipping, 15 persons; 1st fl., manufacturing, inspection, offices, 75 persons; 2nd fl., manufacturing; laboratory, 125 persons; 3rd floor, storage, inspection, 20 persons; equipped with sprinkler and standpipe systems and an interior fire alarm system. Fire drills are maintained. There are 5 ft. 6 in. fireproof stairs extending from roof bulkhead direct to street; and

WHEREAS, the applicant requested permission to smoke in the executive office and sales office, occupying a portion of the first floor as indicated on plans filed with this application; and

WHEREAS, the applicant contends that the executive and sales offices are separated from the balance of the building by fireproof walls, floors and ceiling; that automatic fire doors shut off this end of the building from the balance of the plant; that the office room is completely sprinklered; that no inflammable materials are stored in the office and sufficient fire extinguishers are conveniently located. For this reason it is requested that a variance be granted for smoking in the office portion of the first floor only.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in an order of the fire commissioner, dated May 18, 1942, and that the application be and it hereby is *granted on condition* that no smoking shall be permitted except in the northeast corner of the first floor of the building as indicated on plans filed with this application and occupied only as executive and clerical offices; and granted only so long as the conditions as set forth are maintained.

492-42-A.

APPLICANT—David Weinberg, for Emanay Holding Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2283-2285 Eighth avenue, west side, 50 ft. 11 in. south of West 123rd street and 254 St. Nicholas avenue (Block No. 1949, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg and A. Michael Katz.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

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THE RESOLUTION (492-42-A)

WHEREAS, David Weinberg, for Emanay Holding Corporation, owner, filed June 17, 1942, an appeal from an order of the fire commissioner, premises 2283-2285 8th avenue, west side, 50 ft. 11 in. south of West 123rd street and 254 St. Nicholas avenue (Block No. 1949, Lot No. 33), Borough of Manhattan; and

WHEREAS, Order No. 31028-LC, dated May 25, 1942, issued by the fire commissioner, reads:

"With reference to your application dated May 6, 1942, for a permit to maintain a wholesale drug store at above location, it is regretted that this department is without power to grant such a permit for the reason:

That buildings are not constructed of fire-resisting materials throughout and occupancy in part is that of a workshop or factory not incident to your business. Moreover, there is nothing to show that the Department of Housing and Buildings has approved of buildings occupancy.

YOU ARE THEREFORE, HEREBY, ADVISED TO:

1. Discontinue the maintenance of a wholesale drug store on these premises. Sec. C19-134.0, Art. 24, Administrative Code and Sec. C19-186.0-3, Art. 24, Administrative Code."

and
WHEREAS, the building is three stories (38 ft.) in height, of Class 3 construction; 50 ft. by 80 ft. and 100 ft., in area; erected in 1886 and occupied: Cellar, boilerroom, storage; 1st floor, store and wholesale drug store, 12 persons; 2nd floor, men's cloth, repairs and stock room, 4 persons; 3rd floor, vacant, approved for lofts; and

WHEREAS, the reason for the order is the buildings are not constructed of fire-resisting materials throughout and occupancy in part is work shop or factory not incidental to the business conducted by the tenant; and

WHEREAS, the applicant contends that portion of the first floor and cellar were rented in 1942 as a wholesale drug store; that the ceilings are covered with stamped metal and the partition separating this store from adjoining retail clothing store is constructed of studs with stamped metal on one side, considered partially fire-resistant; that it is unnecessary to pass through any part of the clothing store or ingress or egress and there is no opening or connection between these two spaces and any direct hazard is eliminated; that the easterly portion of the first floor is rented; that an approved one-hour partition will be erected thereby further separating the areas; that as to the workshop in the building, the only type of work conducted in the building is that of incidental repairs made to men's clothing for the retail customer; that no manufacturing is done; that this tenant only employs two tailors and one presser; that the type of wholesale drugstore should not be confused as a general interpretation of wholesale drugstore; that there will be no large quantities of chemicals stored, but is more in the line of a jobber, wherein a few cases of each product is placed on the shelves and shipped out to local drugstores; that within the small area occupied by the tenant, approximately 1500 sq. ft. on the first floor, very little merchandise can be stored; that the hazard is slight and the building has been approved for store-factory, lofts and storage and no further approval need be obtained from the Dept. of Housing and Buildings as to occupancy; that an application made to the Division of Combustibles for permit to store drugs requests permission for 75 lbs. of absorbent cotton, 100 gallons assorted galenicals, 60 gallons assorted tinctures, elixirs, fluid extract 1 gross pint; assorted tablet drugs 10 gross, rubbing alcohol, pints; 100 2 oz. packages sulphur; 10 gross 4-16 oz. peroxide; that the Fire Department's survey sheet shows no explosives, no volatile inflammable liquids.

Resolved, that the order of the fire commissioner, No. 31028-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the space occupied for storage of wholesale drugs shall be restricted to the area shown on plans filed with this appeal, namely, the northerly cellar and the westerly portion of the first floor;

that such space on the first floor shall be separated from the other tenants by partitions, provided same are covered on at least one side with plaster board and stamped metal; that entrance to the cellar shall be provided from Eighth avenue consisting of an engineer's ladder to each of the cellar sections; that the existing gate giving access to the rear yard and through to St. Nicholas avenue shall be maintained; that a door from the rear portion of the first floor northerly section shall be constructed and maintained to such yard; that only such drugs shall be stored on the premises as meet the approval of the fire commissioner, excluding explosives and volatile inflammable liquids; that a three-hour fire door shall be installed and maintained in the wall, separating the spaces occupied on the first floor; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

496-42-A.

APPLICANT—Electrical Testing Laboratories, Incorporated, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—2 East End avenue and 535 East 79th street, northwest corner (Block No. 1576, Lot. No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Peter Garms.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (496-42-A)

WHEREAS, Electrical Testing Laboratories, Inc., owner, filed June 17, 1942, an appeal from an order of the fire commissioner, affecting premises 2 East End avenue, and 535 East 79th street, northwest corner (Block No. 157, Lot No. 23), Borough of Manhattan; and

WHEREAS, the order issued by the fire commissioner, dated May 22, 1942, on Order No. 31022-LC, reads:

"Before a permit may be issued for you to operate or maintain a refrigerating plant, the following must be done:

1. Cut off all elevator shafts leading into refrigerating machinery rooms.

NOTE: Applies to 4th floor where (3) Brunswick and (1) carrier refrigerating machines are located, and on the 5th floor where the General Electric Water Cooler is located."

and

WHEREAS, the applicant states that the building is eight stories (107 ft.) in height; 148 ft. by 102½ ft. in area; of Class 1 construction; located in a residence B district; erected 1910, and used throughout for testing laboratory; and

WHEREAS, the applicant contends that four Brunswick carrier refrigerating machines on the fourth floor of the building are used for testing purposes only and approximately for 10% of the year; that the machines are located on a floor of 15,000 sq. ft. area with many windows on all four sides; that thirteen of the windows are 10 ft. across and fifteen are approximately 4 ft. by 7 ft.; that the machines are 50 ft. distance from the elevator shafts; that the elevator shaft openings are protected by solid steel doors; that there are test engineers on this floor throughout the day and watchmen patrol the floor at night; that to enclose in the refrigerating machines by fireproof walls and to ventilate this room thus made, would be an expensive job; that there is some question as to whether or not the ventilating equipment can be obtained at this time.

Resolved, that the order of the fire commissioner, Order No. 31022-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* the refrigerating equipment located on the fourth (4th) floor shall be operated for experimental purposes only, and to

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the satisfaction of the fire commissioner and under supervision of qualified persons; that the doors to the elevator shafts and doors to stairs shall be reasonably close fitting; that the natural ventilation by means of windows shall be maintained; that such equipment shall be not nearer to the elevator shaft than 50 ft.; and permitting the continued use of the water cooler on the fifth (5th) floor as described.

500-42-A.

APPLICANT—John Savino, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—150-14 109th road, southwest corner of 153rd street (Block No. 12141, Lot No. 13), South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: John Savino and Albert Tanz Fanandre.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (500-42-A)

WHEREAS, John Savino, owner, filed June 19, 1942, an appeal from a decision of the borough superintendent, premises, 150-14 109th road, southwest corner of 153d street (Block No. 12141, Lot No. 13), South Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 15, 1942, re Alt. Applic. No. 906-42, reads:

"1. Frame walls distance less than three feet of lot line shall be brick filled contrary to sec. 4.1.3 paragraph (3) "b".

2. The change of occupancy of a frame garage to a one family dwelling within the fire limits is contrary to sec. 2.1.3.5 and 4.1.2.

3. Wood frame construction details contrary to sec. 8.7.2.3."

and

WHEREAS, the building is of Class 4 construction, one story, (14 ft) in height, 33 ft. by 30 ft. in area; erected in 1925; located in an unrestricted use district; occupied, 1st floor, garage, one room and bath; proposed to be occupied, 1st floor, 3 rooms, one family; and

WHEREAS, the applicant contends that approval should be granted for conversion of a frame garage in conjunction with one room and bath bungalow into three room bath apartment; that there would be no cellar or attic in the structure; that three affidavits are filed with the borough superintendent as evidence that the garage and bungalow have been in use for 15 years; that the neighborhood is such that high rentals cannot be obtained and there is a shortage of low-cost apartments in the area.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. No. 906-41, Objection Nos. 1, 2 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall in conjunction with connected frame building be occupied in all, for not more than one family, and shall comply in all other respects with the requirements for a similar building when erected outside of the fire limits, except that the existing frame of garage portion may be accepted, provided it is maintained in a structurally safe condition to the satisfaction of the borough superintendent.

502-42-S.

APPLICANT—Muller Paper Goods Company, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—33-02 Skillman avenue, south side, from 33rd street to 34th street and north side of 43rd avenue (Block No. 241, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Henry W. Mullen and James A. McDowell.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (502-42-S)

WHEREAS, Muller Paper Goods Co., Inc., owner, filed June 22, 1942, an application for variation of the requirements of the Labor Law, premises 33-02 Skillman avenue, south side, from 33rd to 34th streets and north side of 43rd avenue (Block No. 241, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, Order No. 8699-LF, issued by the Fire Commissioner, dated May 8, 1942, and referred to in his decision dated June 17, 1942, reads:

"YOU ARE HEREBY ORDERED AND REQUIRED, within 30 days from the date of the service of this order, to:

1. Repair or replace existing interior fire alarm system. Among the defects found were the following:

a. Connect system to its source of current supply so inspection and test can be made.

b. Replace all missing stations and gongs throughout premises and provide a trouble bell.

c. Provide instruction cards properly marked and framed behind glass at all stations as per Calendar #1300-25-A of the Board of Standards and Appeals."

and

WHEREAS, the building is of Class 1 construction, six stories (85 ft.) in height, 30 ft. 10 $\frac{3}{8}$ in. by 200 ft. in area irregular; erected in 1916; located in an unrestricted use district; occupied: Cellar, storage, 2 persons; 1st floor storage and receiving, 3 persons; 2nd and 3rd floors, paper bag manufacturing, 12 and 45 persons, respectively; 4th floor, shipping room, 4 persons; 5th floor, paper cup manufacturing, 55 persons; 6th floor, office and machine shop, 2 persons; equipped with a 2-source sprinkler system and a standpipe system, three interior fireproof stairs extending from roof direct to street; and

WHEREAS, the applicant contends that the building is equipped with a two-source automatic sprinkler system supplied from gravity tank and city main connections with 75 lbs. pressure during the day and more at night; that the building is fireproof construction and is accessible on four street fronts; that it is requested that the Board accept the existing Central Station supervision of the waterflow alarm valve and supervision of the water level on the gravity tank with a Central Station connected manual fire alarm box on the first floor; that a watchman is maintained on duty at all hours when the plant is closed and there is also Central Station supervision of the watchman when he is on duty; that in view of the facts, it is requested the Board grant a variation of the requirements of the Fire Department Order; and

WHEREAS, it appeared from the records that the sprinkler system was omitted in parts of the building.

Resolved, that the order of the fire commissioner Order No. 8699-LF, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

507-42-A.

APPLICANT—Frank J. Ross, for Sigmond Rosenberg owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

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PREMISES AFFECTED—449 East 178th street, north side, 66.47 ft. east of Park avenue (Block No. 3035, Lot No. 61), Borough of The Bronx.

APPEARANCES—

For Applicant: Frank J. Ross and Susan Rosenbaum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (507-42-A)

WHEREAS, Frank J. Ross, for Sigmond Rosenberg, owner, filed June 25, 1942, an appeal from a decision of the acting borough superintendent, premises, 449 East 178th street, north side, 66.47 ft. east of Park avenue (Block No. 3035, Lot No. 61), Borough of The Bronx; and

WHEREAS, the decision of the acting borough superintendent, re Alt. Applic. No. 360-42, dated June 19, 1942, reads:

"1. Conversion from one to two families of three story frame structure, not permissible, as per Sections 2.1.3.5 and 4.2.1 of the Building Code.

2. The combined distance of structure from lot lines must be at least six feet and the minimum distance from either lot line must be two feet, as per Sections 2.1.3.5 and 4.1.3 of the Building Code."

and

WHEREAS, the building is of Class 4 construction, two stories (28 ft.) in height, 16 ft. 8 in. by 40 ft. in area; erected in 1912; located in an unrestricted use district and occupied as one family dwelling; proposed to be occupied: cellar, boiler room and storage; basement and first floor combined, one family; second floor one family; and

WHEREAS, the applicant contends that it is a hardship for the owner to carry on as he and his wife are old and have no children; that it is difficult to carry the building, and therefore it is requested that permission be granted to alter the building and rent the second floor to a separate family; that the party walls on both sides are brick filled.

Resolved, that the decision of the acting borough superintendent, acting on Alt. Applic. No. 360-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable to a building when erected outside of the fire limits; that the building shall not be increased in height or area; that apartments shall be so arranged that they shall be self-contained without requiring use of the public hall for entrance to rooms of an apartment; that the scuttle in the roof shall be maintained with a ladder giving access thereto, so that escape in case of fire may be obtained across the roofs of adjoining buildings.

531-42-A.

APPLICANT—Joseph Lau, for Kraft Cheese Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—347 Greenwich street, east side, 100 ft. 4 in. north of Jay street (Block No. 180, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (531-42-A)

WHEREAS, Joseph Lau, for Kraft Cheese Company, owner, filed July 1, 1942, an appeal from a decision of the borough superintendent, premises 347 Greenwich street, east side, 100 ft. 4 in. north of Jay street (Block No. 180, Lot No. 23), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. 733-42, reads:

"1. Proposed marquee is contrary to provisions of section 2.4.1.4.8 of the Bldg. Code, in that it is not constructed of incombustible materials and is not completely back of curb line at least 2 feet."

and

WHEREAS, the building is of Class 3 construction, six stories (75 ft.) in height; 25 ft. by 105 ft. 6 in. in area, at 1st floor; 25 ft. by 80 ft. in area at typical floor; erected in 1892; and occupied since as follows: Cellar, storage, 0 persons; 1st floor, store, 5 persons; 2nd to 6th floors, storage, five persons per floor; and

WHEREAS, the applicant contends that the Transit Commission ordered the marquee disconnected from the elevated structure; in compliance of said order the marquee was removed and supports installed, which created a violation for performing work without a permit and an approved plan; that plans have since been filed with the borough superintendent and the decision herein appealed resulted therefrom; that the existing marquee, which extends across the entire width of the building, is of wood structural members and corrugated sheet metal roof all supported on angle irons bolted to beams and securely tied and anchored to masonry wall by thru bolts; that supports, rods, etc., for the support of the marquee will be installed to the satisfaction of the borough superintendent; that the marquee is absolutely essential for the operation of the business.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 733-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a term of two (2) years *on condition* that the marquee shall be maintained substantially as indicated on plans filed with the borough superintendent under Alt. Applic. No. 733-42, except that no portion of the marquee shall be within the required set back of two (2) ft. from the curb line, and *granted* only so long as the first floor is occupied for produce.

541-42-A.

APPLICANT—Nicholas Santorufo, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1640 Centre street, east side, 350.30 ft. north of Wyckoff avenue (Block No. 2840, Lot No. 28), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Nicholas Santorufo.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (541-42-A)

WHEREAS, Nicholas Santorufo, owner, filed July 6, 1942, an appeal from an order of the fire commissioner, premises 1640 Centre street, east side, 350.30 ft. north of Wyckoff avenue (Block No. 2840, Lot No. 28), Ridgewood, Borough of Queens; and

WHEREAS, Order No. 92003-LC, issued June 6, 1942, by the Fire Commissioner reads:

"1. Discontinue the maintenance of a garage on above premises, as same is of frame construction. C26-4.2.1 Admin. Code."

and

WHEREAS, the applicant states that the building is one story (9 ft.) in height, 10 ft. by 100 ft. in area; of Class 4

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construction; located in an unrestricted use district; erected about 1905 and occupied since 1914 for storage of junk and garage for two (2) cars; proposed to be occupied—storage of junk and garage for three (3) cars; and

WHEREAS, the applicant contends that the structure against which Order No. 92003-LC has been filed, consists of one-story open frame galvanized iron lined shed erected about 1905 and its present use for the storage of junk and garage for 2 cars has been continuous since 1914; that such use has been continuous and uninterrupted since that time. It is therefore respectfully requested that this appeal be sustained and the present use permitted to continue.

Resolved, that the order of the fire commissioner, Order No. 92003-LC, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the frame building in which it is proposed to store three cars, shall be metal lined in accordance with the Rules of the Board governing the use of frame constructed garage buildings erected and used prior to 1915, except that no skylight need be provided in roof, provided the front portion is left open; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

579-42-A.

APPLICANT—General Aircraft Corporation, lessee, for Steinway and Sons, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—22-52 45th street and south side, of Ditmars boulevard, from 43rd street to 45th street (Block No. 782, Lot Nos. 1, 25, 26, 47 and 48), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: John Maynard, James Heller and H. Bartley.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Charles E. Johnson, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (579-42-A)

WHEREAS, General Aircraft Corporation, lessee, for Steinway and Sons, owner, filed on July 18, 1942, an appeal from a decision of the borough superintendent affecting premises 22-52 45th street, south side of Ditmars boulevard between 43rd and 45th streets (Block No. 782, Lots 1, 25, 26, 47 and 48), Astoria, Queens; and

WHEREAS, the decision of the Borough Superintendent dated July 7, 1942 on N. B. Application No. 921-42 reads:

"1. Storage of calcium carbide in excess of 600 pounds may not be permitted in congested mercantile or manufacturing districts. Art. 16, Chapter 19 Adm. Code.

2. Indicate the pressure under which acetylene will be compressed. All equipment employed to be of an approved type.

4 (part) The apparatus shall be installed in a waterproof compartment having the floor, walls and roof of brick or reinforced concrete C19-92.0 subd. C.

7. All piping, manifolds, etc. subject to mechanical injury to be adequately protected.

and

WHEREAS, the applicant contends as to objection number 1, that the storage of calcium carbide in excess of 600 pounds permitted by the Administrative Code is necessary for the conduct of the manufacturing process which will be carried on in the adjoining building in connection with high priority defense contracts; that the total amount of calcium carbide to be stored will be two tons and this amount will be sufficient to provide for one day's operation,

with a reserve for one day's operation in the event that deliveries are delayed; that the calcium carbide will be stored in one-hundred pound drums in the carbide storage room within the proposed fire-proof building as shown on plans filed with the Borough Superintendent under N. B. Application 921-42; that all necessary safe guards will be installed as the Board may direct; and

WHEREAS, it is contended as to objection number 2, only that portion reading, "All equipment employed to be of an approved type", that it is proposed to install two acetylene generators of 500 pounds capacity each, and known as Airco Acetylene Pressure Generators, models 802-0512, as sold by the Air Reduction Sales Company; that each generator will have a shell of #10 U. S. gauge steel; that the generator hoppers #20 U. S. gauge steel, the generator bottom will be .1875 inches in thickness as shown on drawings filed with the appeal; that all pipe joints will be welded, except where screw joints are necessary; that such screw joints will be made up with litharge and glycerine; that all pipe lines when installed will be tested for twenty-four hours at a pressure not less than one and a half times the fifteen pounds designed maximum working pressure; that the piping from the acetylene generators and from the oxygen cylinder storage to be located in the proposed building, will be carried on the exterior of the building above grade, except for approximately twenty feet of such pipe which will be carried in a trench to the main building from whence acetylene and oxygen lines will lead to distribution lines located throughout the main building; that distribution lines will be equipped with water seals where shown on plans filed with this appeal, and with line regulators numbers 806, 8650, 8651 and 8652 manufactured by the Air Reduction Sales Company; that the system throughout will be equipped with all necessary relief valves and protective devices to the satisfaction of the Fire Commissioner, and the acetylene and oxygen lines will be protected from mechanical injury by any means which the Board may suggest; that not more than one person will occupy the proposed building, which will be used for acetylene generator and carbide storage and oxygen storage and manifolding, as shown by the plans filed with the Department of Housing and Building; that the construction of this building will be in compliance with the requirements for class one construction under the building code, and will consist of brick walls, concrete floors, steel trusses surfaced with corrugated iron roofing; that the proposed installation is necessary in view of the fact that it is impossible to obtain sufficient quantities of bottled acetylene gas to supply more than a fraction of the plant's requirements; and

WHEREAS, the applicant contends as to objection number 4 (last part reading, "the apparatus shall be installed in a waterproof compartment having the floor, walls and roof of brick or reinforced concrete"), that the proposed building will comply with this objection in all respects except that the roof will be of 20 gauge corrugated metal on steel trusses and fire walls will be carried up to the underneath side of the roof; that the proposed form of construction for the roof is deemed to be better from the point of preventing a hazardous condition, so that in the event of an explosion, the roof would go, whereas if the code was complied with and a concrete slab roof installed the effect would be to confine the explosion and increase the resulting damage; and

WHEREAS, the applicant contends as to objection number 7, requiring that piping, manifolding, etc. be protected against mechanical injury, that it is proposed to box in all of the exposed piping within nine feet of the floor where located on the interior of the building (except dropped lines to work spaces) and all exposed piping above grade located on the exterior of the building to be boxed in and equipped with inspection doors or panels at intervals sufficient to permit the inspection of joints periodically, in order to minimize any possible hazards from leakage; that the piping between buildings below grade will be carried within a rigid pipe or reinforced concrete conduit or vault, so as to prevent mechanical injury and to permit inspection of the piping; that all other objections of the Borough Su-

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perintendent requiring mechanical ventilation for the calcium carbide storage room and for the acetylene generator compartment will be complied with, so as to provide for mechanical ventilation by ducts to the outer air equipped with explosion proof fans and motors calculated to provide not less than four changes of air per hour for such carbide storage and generating rooms; that the carbide storage room will be constructed water-proof; that the acetylene generators shall be equipped with liquid seals, safety valves or other automatic appliance for limiting the pressure of the gas to fifteen pounds; that the generating compartment will be heated by steam, and all lighting installed throughout the building shall be protected with vapor-proof globes and switches; that no stove, forge, torches, boilers, furnace flame or fire, or any electric or other appliance which is likely to produce spark, will be installed in the generating or carbide storage compartment.

Resolved, that the decision of the borough superintendent, acting on N. B. Application No. 921-42, objections 1, 2, part of 4 and 7, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed and arranged substantially as indicated on plans filed with the borough superintendent, as modified by the proposal herein stated; that the roofs shall be thoroughly moisture-proof; that in the event the spark-proof motors cannot be obtained for the ventilating system to be installed in the storage and generator rooms, the motor equipment may be installed on the exterior with shafting for fans through the exterior walls, provided such shafting and all rotating equipment are properly grounded; that the building shall be located nearer 45th street, in order to have as much distance as practicable from the dwellings on the adjoining lots; that these sections of the building shall be properly labeled with signs on the exterior satisfactory to the fire commissioner; that the equipment throughout shall be installed and maintained to the satisfaction of the fire commissioner and shall have been approved by the Underwriters Laboratories, Inc.; that permission for the use of this equipment shall not be deemed a general approval of such equipment; that such equipment shall be submitted for test and general approval by this Board; that the plant shall at all times be under the supervision of a person holding a certificate of fitness; that such portable fire-fighting appliances shall be maintained within this building as the fire commissioner shall direct; that this variance shall continue only during the term of the present emergency and for one year thereafter.

Adjourned: 12:35 P. M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING

THURSDAY AFTERNOON, JULY 23, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

140-42-BZ.

APPLICANT—Anthony M. De Rose, for Anton Escherich, owner.

SUBJECT—Application (re decision of the acting borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a six (6) car garage on the same plot with an existing four (4) car garage.

PREMISES AFFECTED—2851-2853 Bailey avenue, west side, 498 ft. south of West 230th street (Block No. 3264, Lot No. 63), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. De Rose.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative 0

58-30-BZ.

APPLICANT—Charles M. Spindler, for Lillian Kaplan, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution (decision of the borough superintendent) under sections 7c and 7f of the zoning resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the Board) and, also, for a term of years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—73-13 to 73-21 Cooper avenue and 71-34 to 71-38 73rd place, northwest corner (Block No. 3691, Lot No. 19), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Joseph C. Haus.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative 0

302-42-BZ.

APPLICANT—Louis A. Kiesewetter, for Frieda Block, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the erection of a new accessory building on an existing gasoline service station.

PREMISES AFFECTED—2505 (2485 displayed) Victory boulevard and 538 Willowbrook road, northeast corner (Block No. 486, Lot No. 8), Willowbrook, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch, John M. Leopold, Louis A. Kiesewetter and Joseph C. Haus.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative 0

309-36-BZ.

APPLICANT—Roe and Kramer, for Mount Carmel Cemetery, for Estate of J. Adams Heuss, owner.

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SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a residence use district, the erection and maintenance of a building to be used as a garage for less than five (5) motor vehicles (trucks), storage and tool house.

PREMISES AFFECTED—80-89 Cypress Hills street (Fresh Pond road), east side, 996 ft. north of Interborough parkway (Block No. 3750, Lot No. 695), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Clinton T. Roe.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (309-36-BZ)

WHEREAS, this application, under section 21 of the building zone resolution to permit in a residence use district the erection and maintenance of a building to be used as a garage for less than five (5) motor vehicles (trucks), storage and tool house, premises 80-89 Cypress Hills street (Fresh Pond road), east side, 996 ft. north of Interborough parkway (Block No. 3750, Lot No. 695), Ridgewood, Borough of Queens, was granted by the Board February 9, 1937, on certain conditions, time to obtain permits extended December 14, 1937, and May 9, 1939, the resolution amended June 27, 1939 and March 4, 1941, time extended March 10, 1942, and now applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on February 9, 1937, as amended by resolution adopted on March 10, 1942, only so far as it has reference to the completion of work in connection with the required fence by adding to the resolution:

"that the fence hereinbefore required shall be constructed within eighteen (18) months from the date of this amended resolution."

421-40-BZ.

APPLICANT—J. Jacques Stone, for W. Goadby Loew and U. S. Trust Company of New York as trustee of Estate of Charles F. Rowe, owner (120 East 32nd Street Parking Corporation, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (421-40-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, premises 122-126 East 32nd street, south side, 100 ft. west of Lexington avenue (Block No. 887, Lot Nos. 84, 85 and 86), Borough of Manhattan, was granted by the Board July 16, 1940, on certain conditions, resolution amended on October 29, 1940, time extended on January 28, 1941, and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 16, 1940, as amended by resolution adopted on October 29, 1940, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"granted under section 7h thereof for a term of two (2) years from the date of this amended resolution, to permit. . . ."

915-40-BZ.

APPLICANT—Lama and Proskauer, for Meyer Fish, owner (Pauline Pollock, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the extension of a gasoline service station, the erection of a new accessory building and, also, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—639-741 Fourth avenue, southeast corner of 19th street (Block No. 637, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (915-40-BZ)

WHEREAS, Lama and Proskauer, for Meyer Fish, owner (Pauline Pollock, lessee) filed September 16, 1940, an application under sections 7c and 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station, the erection of a new accessory building, and also the parking of more than five (5) motor vehicles; premises 639-641 Fourth avenue, southeast corner of 19th street (Block No. 637, Lot No. 7), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board on May 27, 1941, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on May 27, 1941, only so far as it has reference to the obtaining of permits and the completion of work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within one (1) year from the date of this amended resolution."

654-41-BZ.

APPLICANT—Max Horn, for Nessim Heffez, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution,

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permitting in a residence use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—106-116 Beach 87th street, northeast corner of Ocean drive (now known as Shore front parkway); (Block No. 662, Lot No. 5), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Mollie Horn.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (654-41-BZ)

WHEREAS, Max Horn for Nessim Heffez, owner, filed July 11, 1941, an application under section 7h of the building zone resolution to permit in a residence use district, for a temporary period of two (2) years, the parking of motor vehicles; premises 106-116 Beach 87th street, northeast corner of Ocean drive (Block No. 662, Lot No. 5), Rockaway Beach, Borough of Queens; and

WHEREAS, this application was granted by the Board on August 6, 1941, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on August 6, 1941, only so far as it has reference to the completion of work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that all permits have been obtained and the work substantially completed, that all work shall be finished within two (2) months from the date of this amended resolution".

654-41-BZ.

APPLICANT—Max Horn, for Seaside Improvement Company, owner (Phil. Addison, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—100-02 to 100-10 Rockaway Beach boulevard, northwest corner of Beach 100th street (Block No. 585, Lot No. 1), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Mollie Horn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (656-41-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of two (2) years, the parking of more than five (5) motor vehicles; premises 100-02 to 100-10 Rockaway Beach boulevard, northwest corner of Beach 100th street (Block No. 585, Lot No. 1), Rockaway Beach, Borough of Queens, was granted by the Board August 6, 1941, on certain conditions, and applicant requested an extension of time to complete work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on

August 6, 1941, only so far as it has reference to the completion of work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that all permits have been obtained and the work substantially completed, that all work shall be finished within two (2) months from the date of this amended resolution."

679-41-BZ.

APPLICANT—Max Horn, for Wesleyan University, owner (Nathan Zucker, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a period of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—35-01 to 35-21 Sprayview avenue, southwest corner of Beach 35th street (Block No. 307, Lot No. 1), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Mollie Horn.

For Opposition: Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (679-41-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a residence use district, for a temporary period of two (2) years, the parking of motor vehicles, premises 35-01 to 35-21 Sprayview avenue, southwest corner of Beach 35th street (Block No. 307, Lot No. 1), Edgemere, Borough of Queens, was granted by the Board August 6, 1941, on certain conditions, and applicant requested an extension of time to complete work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on August 6, 1941, only so far as it has reference to the completion of work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that all permits have been obtained and the work substantially completed, that all work shall be finished within two (2) months from the date of this amended resolution."

681-41-BZ.

APPLICANT—Max Horn, for Julia E. Hoeffling, owner (Albert Van West, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—91 Beach 87th street and 92 Beach 88th street and the north side of Ocean drive (now known as Shore Front parkway); (Block No. 626, Lot No. 9), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Mollie Horn.

For Opposition: Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application reopened and time extended.

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THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (681-41-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a residence use district, for a temporary period of two (2) years, the parking of motor vehicles, premises 91 Beach 87th street, and 92 Beach 88th street, the north side of Ocean drive from Beach 87th street to Beach 88th street (Block No. 626, Lot No. 9), Rockaway Beach, Borough of Queens, was granted by the Board August 6, 1941, on certain conditions, and applicant requested an extension of time to complete work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on August 6, 1941, only so far as it has reference to the completion of work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that all permits have been obtained and the work substantially completed, that all work shall be finished within two (2) months from the date of this amended resolution."

832-41-BZ.

APPLICANT—Max Horn, for Jane F. M. Welpley, owner.
SUBJECT—Application for consideration—reopening and

amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the seasonal transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—111-20 Rockaway Beach boulevard, north side, 981.96 ft. east of Beach 116th street (Block No. 598, Lot No. 49), Rockaway Park, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Mollie Horn.

ACTION OF BOARD—Application reopened, time extended and resolution amended.

THE VOTE TO REOPEN, EXTEND TIME AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (832-41-BZ)

WHEREAS, Max Horn, for Jane F. M. Welpley, owner, filed September 26, 1941, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 111-20 Rockaway Beach boulevard, north side, 981.96 ft. east of Beach 116th street, (Block No. 598, Lot No. 49), Rockaway Park, Borough of Queens; and

WHEREAS, this application was granted by the Board on April 21, 1942, on certain conditions and applicant requested an extension of time to complete the work and an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on April 21, 1942, only so far as it has reference to the completion of the work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that all permits have been obtained and the work substantially completed, that all work shall be finished within two (2) months from the date of this amended resolution."
and the resolution is further amended insofar as it refers

to the distance from adjoining lot lines; so that as amended this portion of the resolution shall read:

"that no cars shall be parked beyond the building line nor nearer than 5 ft. from the frame buildings on adjoining lots."

837-41-BZ.

APPLICANT—Max Horn, for Alice Drucker, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—156 Beach 68th street, east side, 440 ft. south of Rockaway Beach boulevard (Block No. 360, Lot No. 29), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Mollie Horn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (837-41-BZ)

WHEREAS, Max Horn, for Alice Drucker, owner, filed September 26, 1941, an application under section 7h of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 156 Beach 68th street, east side, 440 ft. south of Rockaway Beach boulevard (Block No. 360, Lot No. 29), Arverne, Borough of Queens; and

WHEREAS, this application was granted by the Board April 28, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on April 28, 1942, only so far as it has reference to the completion of work, so that as amended this portion of the resolution shall read:

"that in view of the statement by the applicant that all permits have been obtained and the work substantially completed, that all work shall be finished within two (2) months from the date of this amended resolution."

353-42-BZ.

APPLICANT—Charles M. Lobejager, for Bulova Watch Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the erection and maintenance of a building to be occupied for factory use in excess of the area permitted by the zoning resolution.

PREMISES AFFECTED—40-05 61st street, 40-06 62nd street, the south side of Woodside avenue, from 61st to 62nd streets (Block No. 1336, Lot Nos. 38, 41, 44 and 47), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Chas. M. Lobejager.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (353-42-BZ)

WHEREAS, Charles M. Lobejager, for Bulova Watch Company, owner, filed on April 28, 1942, an application under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a building to be occupied for factory use in excess of the area permitted by the zoning resolution; premises 40-05 1st street, 40-06 62nd street, and the south side of Woodside avenue from 61st to 62nd streets (Block No. 1336, Lot Nos. 38, 41, 44 and 47), Woodside, Borough of Queens; and

WHEREAS, this application was granted by the Board on June 2, 1942, on certain conditions, resolution amended on June 30, 1942 and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted by the Board on June 2, 1942, as amended by resolution adopted June 30, 1942, by adding thereto:

"That loading space shall be provided toward the southerly side opening from 61st street to accommodate two (2) trucks placed end to end, as indicated on revised plans marked "Received July 17, 1942"; that no show windows shall be installed on 61st street or 62nd street and only such exits as are required by the Labor Law, and as are shown on revised plans marked "Received July 17, 1942."

APPEALS FROM ADMINISTRATIVE DECISIONS.

4-42-S.

APPLICANT—Waldes Koh-I-Noor, Incorporated, owner.

SUBJECT—Variation of the Labor Law as cited in a decision of the acting borough superintendent.

PREMISES AFFECTED—47-16 Austell place, southwest corner of 27th street (Ashburn street); (Block No. 98, Lot Nos. 42 and 30), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 28, 1942, at 2 P. M., on request of applicant.

4-40-A.

APPLICANT—Max Silver (lessee), for Reproduction Furniture Manufacturing Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—507-511 Sheffield avenue, east side, 40 ft. south of Livonia avenue (Block No. 3822, part of Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Silver.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, applicant to apply a new decision from the Building Department.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

1071-41-A.

APPLICANT—Schulz and Williamson, for City Line Tower, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—West side of Spencer place, 75.05 ft. south of Spencer place (Block No. 3423P, Lot No. 1535 and 1536), Borough of The Bronx.

APPEARANCES—

For Applicant: John J. McLaughlin.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

4-42-A.

APPLICANT—Renlok Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—92-16 to 92-20 150th street, south side and northwest side of Archer avenue, 133 ft. 8 in. south of Fulton and 150th streets (Block No. 9997, Lot Nos. 13, 14 and 15), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Carrie Kollner.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

182-42-A.

APPLICANT—New York Tribune, Incorporated, owner.

SUBJECT—Appeal from an order and decisions of the fire commissioner.

PREMISES AFFECTED—242 West 41st street, south side, 300 ft. east of Eighth avenue (Block No. 1012, Lot No. 49), Borough of Manhattan.

APPEARANCES—

For Applicant: E. F. Mannion.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

342-42-A.

APPLICANT—Arthur Jovis, for Enrico Navarro, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1457 Randall avenue, northwest corner of Sacrahong street (Block No. 2767, Lot No. 141), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

362-42-A.

APPLICANT—Ung Realty Corporation, owner (E. Mazur, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1062 Brook avenue, northeast corner of East 165th street (Block No. 2392, Lot No. 38), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Winters.

ACTION OF BOARD—Appeal withdrawn.

MINUTES

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

546-42-A.

APPLICANT—Ardstodd, Incorporated, lessee, for Unum
Real Estate Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2431-2439 Broadway, southwest
corner of West 90th street (Block No. 1237, Lot
No. 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Fred Dahlem, Dep't of Hous-
ing and Buildings and Lieut. Thos. E. Leahy,
Fire Dep't.

ACTION OF BOARD—Appeal withdrawn. Applicant to
file plans with Building Department.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

547-42-A.

APPLICANT—Broadway and Ninety-Sixth Street Realty
Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2561-2567 Broadway, northwest
corner of West 96th street (Block No. 1868, Lot
No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Fred Dahlem, Dep't of Hous-
ing and Buildings and Lieut. Thos. E. Leahy,
Fire Dep't.

ACTION OF BOARD—Appeal withdrawn. Applicant to
file plans with Building Department.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

357-42-A.

APPLICANT—Feedwaters, Incorporated, for New York
Dock Company, owner.

SUBJECT—Appeal from an order and a decision of the
fire commissioner.

PREMISES AFFECTED—110-116 Imlay street, northwest
corner of Commerce street (Block No. 515, part of
Lot No. 61), Borough of Brooklyn.

APPEARANCES—

For Applicant: Spencer Bulter and Charles C.
Kern.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (357-42-A)

WHEREAS, Feedwaters, Incorporated, for New York Dock
Company, owner, filed on April 30, 1942, an appeal from an
order of the fire commissioner affecting premises 110-116
Imlay street, northwest corner of Commerce street (Block
No. 515, part of Lot No. 61), Borough of Brooklyn; and

WHEREAS, Order No. 89523-LC issued by the fire com-
missioner December 10, 1941 and repeated in a decision of
the fire commissioner dated April 20, 1942 reads:

"With reference to application dated October 20,
1941 for a permit to store and use alcohol and various
chemicals at 110-14 Imlay Street, Brooklyn we should

state that the Fire Department is without power to
issue permit for the manufacture of a combustible mix-
ture on the premises for the following reason:

The preparation known as "Hexalon" is a combustible
mixture with a flash point of 160°. The manufacture
of a combustible mixture on the premises is a violation
of C-19-62-6, which reads as follows:

'No permit for the manufacture of a combustible
mixture shall be issued for any building where dry
goods or other materials of a highly inflammable nature
are manufactured, stored or sold.'

1. You are therefore, ordered to discontinue the
manufacture of the combustible mixture 'Hexalon' on
above premises."

and

WHEREAS, the applicant states that the building is
stories (85 ft.), in height, 460 ft. by 80 ft. in area, of Class
construction equipped with a sprinkler system and a stand
pipe system, erected in 1911 and 1913, located in an un-
restricted use district and used as follows: 1st floor, manu-
facture of corrugated paper boxes, storage and distributio
of food products, 54 persons; 2nd floor, processing of paper
assembly and distribution of wooden ware, storage and dist
tribution of food products, 63 persons; 3rd floor, manufac
ture of Hexalon and food products, storage and distribu
tion of food products, 23 persons; 4th floor, manufactur
of Hexalon and beauticians' equipment, storage and distr
bution of food products, 65 persons; 5th floor, manufac
ture, storage and distribution of food products, manufact
of beauticians' equipment, 60 persons; 6th floor, manufac
ture, storage and distributoin of food products, 35 per
sons; proposed use and occupancy to remain the same; an

WHEREAS, the applicant contends that the manufacturin
and compounding of Hexalon (furfural alcohol) on th
premises does not constitute a fire hazard, regardless o
goods or materials stored in other portions of the building
that Hexalon has been passed by the Bureau of Marine In
spection and Navigation for use as an article of stores o
board passenger and pleasure vessels; that not more tha
one (1) 55 gallon drum of furfural alcohol is kept on th
premises.

Resolved, that the order of the fire commissioner, Order
No. 89523-LC, be and it hereby is *modified* and that th
appeal be and it hereby is *granted on condition* that the pr
posed combustible mixture known as Hexalon (furfur
alcohol) shall not be stored in excess of one (1) 55 galle
drum; that these premises occupied by Feedwaters, In
shall be separated from other tenants on the same floors b
approved fireproof partitions and *granted* only so long
the building complies in all other respects with all law
rules and regulations applicable thereto and is occupied su
stantially as set forth.

409-42-A.

APPLICANT—Philip Simpson, President of Ninth Av
nue Properties, Incorporated, owner.

SUBJECT—Appeal from a decision re an order of the fi
commissioner.

PREMISES AFFECTED—359-363 Ninth avenue (rear
west side, 65 ft. north of West 30th street (Blo
No. 728, Lot Nos. 34, 35 and 36), Borough of Ma
hattan.

APPEARANCES—

For Applicant: Philip Simpson.

ACTION OF BOARD—Appeal denied.

TO VOTE TO GRANT—

Affirmative:
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy

THE RESOLUTION (409-42-A)

WHEREAS, Philip Simpson, for Ninth Avenue Properti
Inc., owner, filed on May 19, 1942, an appeal from an ord
of the fire commissioner, affecting premises 359-363 Ni

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avenue (rear), west side, 65 ft. north of West 30th street (Block No. 728, Lot Nos. 34, 35 and 36), Borough of Manhattan; and

WHEREAS, Order No. 11062-LF, issued by the fire commissioner May 1, 1942, and referred to in a decision of the fire commissioner dated May 13, 1942, reads:

"1. Install an approved wet automatic sprinkler system for entire building, having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Adm. Code.

or

Comply with modification 1295-23-A, Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is three stories (35 ft.) in height; 60 ft. by 45 ft. in area; of Class 3 construction; located in a business and retail use district; erected 1887 and occupied—cellar, storage, no persons; first floor, mattress factory, 4 persons; second floor, iron and carpentry shop, 3 persons; third floor, carpentry shop, 3 persons. No change in use or occupancy is proposed; and

WHEREAS, the applicant contends the building was erected in 1887 for factory use; that it has been used as such since its erection; that the present mattress factory has been on the premises since 1913 under the operation of the present tenant and for about 12 years prior thereto by the previous tenant; that the building is small in area; that the total number of persons is nine as compared with 24 in 1923, when the Board acted on Cal. No. 1295-23-A; that the following conditions of the resolution under Cal. No. 1295-23-A have been complied with fully; that the hoist shaft has been sealed and floored over; that the stair hall partitions have been fire retarded, and doors covered with iron and made self-closing; that 12 water buckets have been provided on each floor; that in addition to the above, there are 7 approved 2½ gallon soda and acid type fire extinguishers distributed throughout the building; that the building is accessible to the fire department by means of 7 ft. passageway to the street; that there is a balcony fire escape from roof to first floor with a drop ladder to grade; that all openings on the course of the fire escape are fireproof. In consideration of these facts, it is requested that the Board waive the requirement for the installation of the sprinkler system.

Resolved, that the order No. 11062-LF, of the fire commissioner, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

434-42-A.

APPLICANT—Arnold W. Lederer, for Harold S. Vaughn, owner (Loretto Doris, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2271 Ocean avenue, east side, 30 ft. south of Avenue R (Block No. 6826, Lot No. 87), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer and Loretto A. Doris.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (434-42-A)

WHEREAS, Arnold W. Lederer, for Harold S. Vaughn, owner, Loretto Doris, lessee, filed on May 27, 1942, an appeal from a decision of the borough superintendent affecting premises 2271 Ocean avenue, east side, 30 ft. south of Avenue R (Block No. 6826, Lot No. 87), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated May 23, 1942, on Alt. Applic. No. 1508-42, reads:

"1. Proposed use of first floor of present two story one family frame dwelling for day school for sixteen children is contrary to (2.1.3.5) C26-185.0 and (4.2.1) C26-254.0 of the Administrative Code.

2. Provide a 60 lb. load per sq. ft. for classrooms, 7.3.2.2.3 Code.

3. Fire retard cellar ceiling.

5. Provide adequate toilet facilities, 14.8.4 Code."

and

WHEREAS, the applicant states that the building is two stories (21 ft.) in height; 21 ft. by 59 ft. in area; Class 4 construction, upon a lot 31 ft. by 100 ft. in area; located in a residence use district and occupied—cellar, storage, no persons; first floor, day school, 16 persons; second floor, one family, 2 persons; no change in use or occupancy is provided; and

WHEREAS, the applicant contends that it is proposed to use the first floor for a day school providing for children two to six years of age between the hours of 9 A.M. to 4:30 P.M., five days a week; that no children are boarded nor do they sleep in the building; that all school activities are confined to the first floor; that the children are under the constant supervision of the lessee; that the 40 lb. live load, for which the building was designed, is adequate; that it is proposed to fire retard the ceiling over the steam boiler with one-half inch plaster board and 26 gauge metal 8 ft. in front and 4 ft. beyond the sides of boiler; that the girls will have access to a new toilet on the first floor and the boys will use the present bathroom on the second floor; that exits of first floor will comply with the Building Code; that inasmuch as the present lessee has a three year lease, it will be a hardship to be compelled to vacate the premises; that the lessee occupies the second floor for dwelling purposes in conjunction with the first floor occupancy; that the building is detached on both sides.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1508-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition*, as to Obj. No. 1, that the building shall not be increased in height or area; as to Obj. No. 2, that the floor loading shall not be less than 40 lbs. per superficial foot and shall not be overloaded for such carrying capacity; as to Obj. No. 3, that the stair to the cellar shall be enclosed in a fireproof enclosure with a self-closing fireproof door at the foot; that the cellar ceiling throughout shall be plastered; that the boiler shall be fueled by coal; that the ceiling over the boiler, in accordance with the Code requirements, shall be fire retarded; as to Obj. No. 5, that toilet facilities shall be provided on the 1st floor in the existing space now occupied as a closet adjacent to the front entrance and that the number of children shall not exceed 16 and shall be for day school work only and that the operator of the school shall reside on the second story, which shall be for living quarters only; that this variance shall continue for a term of not over three (3) years from the date of this resolution *on condition* that the requirements of this resolution are complied with and the premises are maintained substantially as set forth.

534-42-A.

APPLICANT—George Vincent, Incorporated, lessee, for Graf Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—119 West 24th street, north side, 225 ft. west of Sixth avenue (Block No. 800, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry A. Mulcahy and George Vincent.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (534-42-A)

WHEREAS, George Vincent, Inc., lessee, for Graf Realty Corporation, owner, filed on July 3, 1942, an appeal from an order and a decision of the fire commissioner affecting premises 119 West 24th street, north side, 225 ft. west of 6th avenue (Block No. 800, Lot No. 25), Borough of Manhattan; and

WHEREAS, Order No. 30500-LC issued by the fire commissioner April 9, 1942, and repeated in a decision of the fire commissioner, dated June 9, 1942, reads:

"Before a permit may be issued for the storage of acetone, etc., the following must be done:

1. Discontinue the storage of petroleum solvent in a quantity exceeding five gallons on these premises and provide an approved safety can for such storage. Sec. C19-51-B-5, Art. 1, Administrative Code.

Note: Flashpoint below 70° F. open cup."

and

WHEREAS, the applicant states that the building is 12 stories (150 ft.) in height, 100 ft. by 100 ft. in area, of Class 1 construction, equipped with a sprinkler system and a standpipe system, located in an unrestricted use district, erected in 1912 and occupied as follows: cellar, boiler room, 2 persons; 1st floor, storage of printing paper in bundles and packages, 10 persons; 2nd floor, office and storage of printing paper in bundles and packages, 20 persons; 3rd floor, storage of printing paper in bundles and packages, 2 persons; 4th floor, same, 2 persons; 5th floor, manufacturing of dresses and office, 52 persons; 6th floor, manufacturing of dolls, 20 persons; 7th floor, manufacturing of dresses, 70 persons; 8th floor, manufacturing of glassware, 25 persons; 9th floor, manufacturing of metal lamps, 20 persons; 10th floor, manufacturing of vanity boxes, 25 persons; 11th floor, machine shop and manufacturing of metal casings, 100 persons; 12th floor, manufacturing of tracing paper, 9 persons, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the order of the fire commissioner is unreasonable, in view of the nature of the applicant's business and the type of construction of the building and the fire preventive measures which have been taken by the applicant; that the 12th floor which is occupied by the applicant has an area of approximately 10,000 sq. ft., subdivided into 5 sections consisting of office space and shipping room, general factory space which occupies about $\frac{1}{2}$ of the entire floor, laboratory, coating room and fireproof vault; that the office, shipping room, laboratory, and coating room are separated from the factory space by 3 in. gypsum block partitions, plastered on both sides; that the fireproof vault is separated from the factory space by 8 in. terra cotta blocks, plastered on both sides; that the petroleum solvent in question is stored in the fireproof vault; that the vault is equipped with a two hour fire test door operated by a fusible link; that a 6 in. sill is provided at this door; that there are three sprinkler heads in the vault and three windows; that the vault floor is 3 in. cinder concrete with 1 in. floated cement top over a bed of cinders which rests on the concrete floor of the building; that the vault floor is pitched toward a drain or scupper leading to the outside of the building; that there is no artificial light in the vault; that the petroleum solvent is used in the coating room; that two fully enclosed enameled steel mixing tanks equipped with vapor and explosion proof motors as approved by the Underwriters' Laboratories for use in hazardous locations; that the paper coating room is equipped with a CO₂ fire extinguishing system connected directly to the interior of the coating machine; that this CO₂ system is equipped with two cylinders each having a capacity of 100 lbs. of carbon dioxide; that the coating machine is enclosed in a 22 gauge galvanized iron exhaust

hood equipped with a spark proof fan with a capacity of 12,500 cu. ft. per minute; that the petroleum solvent is not used throughout the factory except that less than 1 gallon is occasionally used in the laboratory for experimental purposes; that the petroleum solvent, which consists of benzol used in the coating solution, is brought to the premises by freight elevator in a 50-55 gallon steel drum; that immediately upon delivery, the drum is placed in the fireproof vault and emptied into 5 gallon cans; that as needed, solvent is removed from the vault directly to the coating room and placed in the mixing tanks, where it is compounded with synthetic resins, vegetable and mineral oils; that from the mixing tank, the solution is drawn for use in the coating machine; that each coating machine has a capacity of 20 gallons; that a minimum of 40 gallons of mixed solution is necessary for the operation of the coating machine for each separate process; that water and sand buckets have been installed on the premises; that all empty solvent drums are removed from the premises as rapidly as possible; that all residue and waste material recovered from the coating operation is removed to the fireproof vault; that the use of the solvent is under the supervision of chemists, who exercise all reasonable fire preventive measures; that the fireproof vault was constructed after plans and application were approved by the Dept. of Housing and Buildings, in the belief it would satisfy the requirements of the Division of Combustibles for the storage of solvent in quantities essential to the continued operation of the business; that upwards of 85% of the applicant's entire production is used in the war effort.

Resolved, that the order of the fire commissioner, Order No. 30500-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than one (1) drum of petroleum solvent as described, shall be maintained on the floor in question (12th) at any time; that such drum shall be stored in the vault maintained as proposed; that material taken from such drum for emptying into the mixing tank shall be carried in approved safety cans; that empty drums shall be removed from the premises promptly and *granted* only so long as the conditions are maintained as set forth and the fire-fighting equipment is maintained to the satisfaction of the fire commissioner.

540-42-A.

APPLICANT—Henry V. Murphy, for Reverend William J. Farrell, Port Chaplain, Catholic Seamen's Institute, for Reverend Thomas E. Molloy, S.T.D., Bishop of Brooklyn, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—651-655 Hicks street and 103 Rapelyea street, northeast corner (Block No. 364, Lot Nos. 1 and 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry V. Murphy and Leonard J. Toole.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (540-42-A)

WHEREAS, Henry V. Murphy for Rev. William J. Farrell, Port Chaplain, Catholic Seamen's Institute, for Rev. Thomas E. Molloy, owner, filed on June 6, 1942, an appeal from a decision of the borough superintendent affecting premises 651-655 Hicks street and 103 Rapelyea street, northeast corner (Block No. 364, Lot Nos. 1 and 42), Borough of Brooklyn; and

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WHEREAS, the decision of the borough superintendent dated June 30, 1942, on Oil Burner Applic. No. 1795-42, reads:

"1. Proposal to connect two boilers and burners to one flue is contrary to Rule 12 of the Board of Standards and Appeals, Oil Burner Rules."

and

WHEREAS, the applicant states that the building will be two stories and basement (32 ft. 3 in.) in height; 50 ft. by 100 ft. in area; of Class 1 construction; located in a residence use district and occupied—basement, assembly, bowling and boiler room, 260 persons; first floor, office and game room, 60 persons; second floor, chapel, library and lounge, 70 persons; and

WHEREAS, the applicant contends that the building was originally designed with a steel frame and one stack of sufficient size for both heating and domestic hot water oil fired boilers and plans for same were approved by the Department of Housing and Buildings January 5, 1940; that subsequently, due to priorities, it was necessary to redesign the building for reinforced concrete, and such new plans were approved by the Building Department April 6, 1942 as N. B. Applic. No. 2437-41; that in the meantime, Rule 12 of the Oil Burner Rules had been amended, so that but one burner could be placed in one stack; that construction was well under way when the objection of the borough superintendent, which is herein appealed, was issued; that the stack in question is a low temperature chimney exceeding department requirements by having fire clay linings 2 in. thick enclosed by at least 12 in. of brick work; that the heating boiler is a National Premier, Type O.B. 436, steel tubular, low pressured, direct draft, steel water boiler fired by a Petro type W, full automatic gas electric burner using No. 5 oil; that the domestic hot water heater is a Burnham, H631 east iron sectional, direct draft, water heating boiler fired by a Petrol, P20, full automatic electric burner using No. 2 oil; that the stack conditions, as designed for use with this equipment, shows no fire hazard; that compliance with the objections of the borough superintendent would cause a great hardship and necessitate a large expense to the owner and materially delay completion of the building, which is urgently needed for the social activities of the Merchant Marine ashore.

Resolved, that the decision of the borough superintendent on Oil Burner Applic. No. 1795-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the requirements of the Oil Burner Rules shall be complied with and no additional heating devices shall be attached to the flue and that the conditions shall be maintained substantially as proposed.

544-42-A.

APPLICANT—George D. Scott, for Nathan Boorstein, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—118 Avenue D, east side, 70.10 ft. north of East 8th street (Block No. 365, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Applicant: Geo. D. Scott.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (544-42-A)

WHEREAS, George D. Scott, for Nathan Boorstein, owner, filed on July 6, 1942, an appeal from a decision of the borough superintendent, affecting premises 118 Avenue D,

east side, 70 ft. 10 in. north of East 8th street (Block No. 365, Lot No. 4), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, undated, on amendment dated June 27, 1942, to Misc. Applic. No. 889-42, reads:

"Department is without power to accept materials and devices other than those approved by the Board of Standards of Appeals."

and

WHEREAS, amendment made June 27, 1942, to Misc. Applic. 889-42, requested that bronze siamese connection, manufactured by W. D. Allen without the approval numbers of the Board of Standards and Appeals cast thereon, be accepted in view of the fact that copper alloys are frozen by the Government and it is impossible to obtain any approved siamese; and

WHEREAS, the applicant states that the building is four stories (51 ft. 9½ in.) in height; 23 ft. by 71 ft. 8 in. in area; of Class 3 construction; located in a retail use district; erected 1890 and occupied—cellar, burlap storage; first to fourth floors, storage, assorting and repair of burlap bags; and

WHEREAS, the applicant contends that the siamese head in question was manufactured by the W. D. Allen Manufacturing Company before the Board of Standards and Appeals issued approval, under Cal. No. 156-34-SA; that the siamese which it is proposed to install is of the same weight, pattern and material as the approved type, except there are not any raised numerals indicating such approval on the siamese; and

WHEREAS, applicant has submitted a letter from W. D. Allen Manufacturing Company stating that they are unable to deliver any brass siamese without a permit from the Federal Government.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 889-42 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed siamese shall comply in all respects with the requirements in the resolution of the Board approving a similar siamese for the W. D. Allen Manufacturing Co. under Cal. No. 156-34-SA, except as to the raised lettering citing the calendar number; that the structural condition of the siamese shall be satisfactory to the fire commissioner.

549-42-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—94 Amity street, south side, 152 ft. west of Henry street (Block No. 295, Lot No. 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (549-42-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 9, 1942, an appeal from a decision of the borough superintendent, premises 94 Amity street, south side, 152 ft. west of Henry street (Block No. 295, Lot No. 17), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated July 1, 1942, re Alt. Applic. No. 1830-42, reads:

"1. As occupancy is being changed to one in which Art. 7 'Means of Egress' of the Building Code becomes operative, the exits are inadequate in the following respects:

(a) Stairways to be 3'0" wide, Sec. 6.4.1.2.(b) 1.

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- (b) Doors to be 3'0" wide, Sec. 6.2.1.(a).
- (c) Passageway to be 3'0" wide, Sec. 6.3.2.
- (d) Stairs to be constructed of iron, Sec. 6.4.1.7.1.
- (e) Stairway to be enclosed in approved 2-hour fire resistive partitions and doors in enclosure to be $\frac{3}{4}$ hour fireproof self-closing, Sec. 6.4.1.8.1.
- (f) Stairway to extend to roof, Sec. 6.4.1.11.
- 2. Cellar ceiling to be fire retarded and cellar stairs to be fireproof enclosed."

and

WHEREAS, the building is three stories, basement and attic (50 ft.) in height; 25 ft. by 46 ft. in area; of Class 3 construction; erected prior to 1890; located in a residence-C area district; and occupied: cellar, heating; basement, one family; first, and second, floors, 1 family; 3rd and 4th floors, one family; proposed to be occupied: cellar, vacant; basement, bedrooms (hospital employees), 6 persons; 1st floor, classroom, 0 persons; 2nd, 3rd and 4th floors, bedrooms for nurses, 5, 5 and 3 persons, respectively; and

WHEREAS, the applicant contends that the building will be used by the hospital for employees who will pay no rent; that the building is located adjacent to other hospital property and will be supplied with steam, hot water and electric services from the main hospital power house; that no regular meals will be served or prepared on the premises, though facilities may be provided for making tea or other light refreshments; that iron balconies will be placed at all floors above the first floor connecting with the adjoining buildings under same ownership, so that all bedrooms will have a second means of egress independent of the stairhall; and

WHEREAS, the applicant contends as to objection No. 1(a), that the stairways are 3 ft. 0 in. wide; except the stairway between the 3rd floor and attic, which is 2 ft. 8 in. wide; as to objection 1 (b), that doors from bedrooms are 2 ft. 8 in. wide or over; as to objection 1 (c), that the passageways are 3 ft. wide; as to objection 1 (d), the stairs are not constructed in accordance with Sec. 6.4.1.7.1, which applies to new buildings; that the stairs are now constructed of wood; that to require compliance with the Code would impose an undue hardship on the owner; that as to objection No. 1 (e), the same contention applies as has been stated for 1 (d); that as to objection No. 1 (f), it is proposed to install a ladder from top of present stairs to new scuttle on the roof; that the ladder and attic stair will be enclosed in fire-resisting partition; that as to objection No. 2, it is proposed to comply with the requirement; that it is requested that the Board accept the proposed alterations and waive the objections of the borough superintendent.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1830-42, objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the cellar shall contain no heating plant and shall remain unused; that the cellar ceiling shall be fire-retarded in accordance with the rules of the Board; that the stairway in the cellar shall be enclosed with 4 in. terra cotta blocks with $\frac{3}{4}$ hour approved fireproof door; that the upper stories above the parlor floor shall be rearranged, as proposed on revised plan marked "Received July 9, 1942", so that from each room there is a doorway on which no locking device shall be provided, so as to be available at all times for free access and to provide two (2) means of exit from each room, one to the main hall and the second directly or indirectly to the fire escape which is on the rear of the building; that the ceiling under the roof of the rear extension shall be fire-retarded; that the fire escapes shall be arranged so as to cover two windows in all stories, with a drop-ladder to the yard and a gooseneck ladder to the roof; that all doors opening from rooms to the main hall shall remain self-closing; that such doors may be of wood, provided that rails and stiles are not less than $1\frac{1}{2}$ in. in thickness and maintained in good condition or replaced with fireproof doors approved for $\frac{3}{4}$ hour test; that on the stairs from the third floor to the attic the sides and soffit under such stairs shall be fire-retarded with wire lath and cement plaster; that such portable fire-fighting appliances shall be maintained where the fire commissioner

shall direct; that the building shall not be increased in height or area; that the occupancy of the parlor floor for assembly purposes shall not exceed 20 persons; that there shall be constructed and maintained a scuttle from the top story to the roof; that a gong not less than 6 in. in diameter shall be installed on the first floor with push button on each floor to give an alarm in case of fire and *granted* only so long as the building is occupied as proposed and in accordance with the requirements of this resolution and operated as a part of Long Island College Hospital.

DISMISSALS.

The chairman called attention to the fact where the following applicants had filed appeals with the Board; and WHEREAS, the applicants were duly advised by the Board to prosecute their appeals; and

WHEREAS, the applicants failed to complete the papers in the subject cases, and at the hearing there were no appearances made on behalf of the applicants.

Resolved, that the following appeals be and they hereby are *dismissed* for lack of prosecution.

764-41-A.

APPLICANT—Frank Koshel, for Prospect Metals and Refining Works, lessee, for Rose Koshel, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—149-151 Second avenue, south-east corner of 12th street (Block No. 1026, Lot Nos. 7 and 8), Borough of Brooklyn.

825-41-A.

APPLICANT—Joseph A. Marck, for Dime Savings Bank, owner (A. E. Robb, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—134-21 Franklin street, north side, 156.41 ft. east of Saull street (Block No. 5122, Lot No. 51), Flushing, Borough of Queens.

161-42-A.

APPLICANT—American Kitchen Unit Corporation, lessee, for Kings County Ice and Fuel Corporation, owner.
SUBJECT—Appeal from an order and decisions of the fire commissioner.
PREMISES AFFECTED—617-635 Van Sinderen avenue, east side, 100 ft. north of Newport avenue (Block No. 3833, Lot No. 6), Borough of Brooklyn.

172-42-A.

APPLICANT—Joseph B. Klein, for Margherita Castellano, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—1911 Hobart avenue, west side, 57.14 ft. north of Morris Park avenue (Block No. 4234, Lot No. 59), Borough of the Bronx.

329-42-A.

APPLICANT—Sylvester Kerrigan, for Liggett Drug Company, Incorporated, owner.
SUBJECT—Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—637-643 Madison avenue, north-east corner of East 59th street (Block No. 1374, Lot No. 21), Borough of Manhattan.

338-42-S.

APPLICANT—Kops Brothers, Incorporated, lessee, for Kops Realty Corporation, owner.

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SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—100-02 to 100-20 Rockaway boulevard, southwest corner of 191st street (Block No. 9539, Lot No. 1), Ozone Park, Borough of Queens.

343-42-A.

APPLICANT—Henry J. Latham, for Green Lawn Estates, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—130-02 and 130-06 221st street, southwest corner of 130th avenue and west side of 221st street, 53.56 ft. south of 130th avenue (Block No. 3500, part of Lot No. 100), Springfield Gardens, Borough of Queens.

344-42-A.

APPLICANT—Henry J. Latham, for Green Lawn Estates, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—130-01, 130-05 and 130-09 222nd street, southeast corner of 130th avenue and east side of 222nd street, 45.94 ft. and 85.94 ft. south of 130th avenue (Block No. 3500, part of Lot No. 100), Springfield Gardens, Borough of Queens.

345-42-A.

APPLICANT—Henry J. Latham, for Green Lawn Estates, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—130-01 to 130-05 221st street, southeast corner of 130th avenue and east side of 221st street, 50.62 ft. south of 130th avenue, 130-02, 130-06 and 130-10 222nd street, southwest corner of 130th avenue, and west side of 222nd street, 48.81 ft. and 88.81 ft. south of 130th avenue (Block No. 3500, part of Lot No. 100), Springfield Gardens, Borough of Queens.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

Adjourned, 3.45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY MORNING, JULY 28, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning, July 21, 1942 and Tuesday afternoon, July 1, 1942, were approved as printed in Bulletin No. 30, Vol. 27.

ZONING CASES.

42-42-BZ.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station.

PREMISES AFFECTED—2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: George E. Strehlan.

For Opposition: Ernest A. Migliaccio.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 29, 1942 at 10 A. M., for submission of new plans and further consideration by the Board.

536-42-BZ.

APPLICANT—Sidney L. Strauss, for General Bronze Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 21 and 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a building to be used for metal manufacturing.

PREMISES AFFECTED—34-12 10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45, inclusive), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Opposition: Frank Nicolosi, Hugh Quinn, Don Forchelli, Alexander Del Giovanni and Gustave Goldman, Board of Education.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 31, 1942 at 10 A. M.

276-42-BZ.

APPLICANT—Joseph B. Lynch, for Louis Iervolino and Thomas Iervolino, owners.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the reconstruction and change of occupancy of an existing garage building to a gasoline service station.

PREMISES AFFECTED—81 Rapelye street, northwest corner of Hicks street (Block No. 363, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

505-42-BZ.

APPLICANT—John P. Riley, Chief Engineer, for New York City Housing Authority, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—278-292 Tenth avenue, east side, between West 26th and West 27th streets, 455-463 West 26th street and 446-460 West 27th street (Block No. 724, part of Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley.

For Opposition: Louis A. Jackson, Sol Birnbaum, Louis A. Morse, Andrew Taggard, William H.

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Bird, Harold Klorfein, Dep't of Parks and
Gustave Goldman, Board of Education.
For Administration: Fred Dahlem, Dep't of Hous-
ing and Buildings.

ACTION OF BOARD—Application withdrawn after argu-
ment.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

525-42-BZ.

APPLICANT—Julius Soman, Assistant Engineer, for New
York City Housing Authority, owner.

SUBJECT—Application (re decision of the borough super-
intendent) under section 7h of the zoning resolu-
tion, to permit in a residence use district, for a
term of two (2) years, the parking and storage of
more than five (5) motor vehicles.

PREMISES AFFECTED—204-232 West 64th street,
south side and 203-219 and 225-231 West 63rd
street, north side, 100 ft. west of Amsterdam
avenue (Block No. 1155, part of Lot No. 14),
Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Hous-
ing and Buildings.

ACTION OF BOARD—Application withdrawn after argu-
ment.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

77-32-BZ.

APPLICANT—Lama and Proskauer, for Anagal Realty
Company, Incorporated, owner.

SUBJECT—Application reopened November 5, 1941 (dec-
ision of the borough superintendent) under sections
7c and 21 of the zoning resolution, to permit in a
business use district, the maintenance and the ex-
tension of a gasoline service station (previously
granted by the Board for a temporary period).

PREMISES AFFECTED—181-07 Horace Harding boule-
vard, northeast corner of Utopia parkway (Block
No. 7065, Lot No. 5), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, Joseph Logana,
Paul Lagona.
For Opposition: Edwin Zounek, Emma K. Dobbs
and others.

For Administration: Fred Dahlem, Dep't of Hous-
ing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (77-32-BZ)

WHEREAS, this application permitting in a business use
district, the erection and maintenance of a gasoline service
station, affecting premises 181-07 Horace Harding boulevard,
northeast corner of Utopia parkway (Block No. 7065, Lot
No. 5), Flushing, Borough of Queens, was granted by the
Board May 20, 1932, on certain conditions and for a tempo-
rary period of two (2) years; and

WHEREAS, the temporary permit was extended from time
to time, the last extension being granted on May 28, 1940;
and

WHEREAS, Lama and Proskauer, for Anagal Realty Co.,
Inc., present owner, requested a reopening of the application
and an amendment of the resolution to permit the mainte-
nance and extension of an existing gasoline service station
for a period of ten (10) years;

WHEREAS, this application was reopened by vote of the
Board on November 5, 1941, subject to usual procedure;
and

WHEREAS, a public hearing was held on this application
by the Board of Standards and Appeals, at its regular meet-
ing July 28, 1942 after due notice by publication in the
Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning
resolution show that Utopia boulevard and 182nd street are
each in residence and business use districts and 59th avenue
is in a residence use district; and

WHEREAS, the decision of the borough superintendent,
dated October 6, 1941, on Alt. Applic. No. 1573-41, reads:

"1. The proposed extension to a gasoline service
station and lubritorium within a business use district is
contrary to Art. II, Sect. 4, Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having
a frontage of 87.3 ft. on Horace Harding boulevard, 108.4
ft. on Utopia parkway and a distance of 45.4 ft. along the
northerly building line—occupied as a gasoline service sta-
tion. Upon the northerly part of the plot there is a frame
tool shed, which is to be demolished. Upon the central
portion of the plot there is a two-story building used as
dwelling and also as an office for the gasoline station. It is
proposed to extend this building by the addition of a one-
story, Class 3 building, 26 ft. 8 in. by 33 ft. in area, to be
used as a lubritorium. It is proposed to use the site (as
proposed to be developed), for a term of ten (10) years;
and

WHEREAS, in the opinion of the Board, the proposed
extension should not be granted at this time; that such
buildings as have been erected contrary to the Board's
resolution should be removed; that the term should be
extended for two years for the use as permitted in accord-
ance with the conditions of the resolution.

Resolved, that the Board of Standards and Appeals does
hereby amend the resolution adopted May 20, 1932, only so
far as it has reference to the term of the permit, so that as
amended this portion of the resolution shall read:

"Granted under section 7f for a temporary term of
two (2) years from the date of this amended resolution,
on condition. * * *"

31-33-BZ.

APPLICANT—Lama and Proskauer, for Packer Service
Center, Incorporated, owner.

SUBJECT—Application reopened November 18, 1941 (re
decision of the borough superintendent) under sec-
tions 7f and 21 of the zoning resolution, to permit
partly in a business use and partly in a residence
use district, for a term of years, the use of a plot
of ground as a gasoline service station and, also,
for the parking and storage of more than five (5)
motor vehicles.

PREMISES AFFECTED—610-622 Utica avenue, north-
west corner of Winthrop street, northwest corner
(Block No. 4603, Lot No. 40), Borough of
Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Hous-
ing and Buildings.

ACTION OF BOARD—Permit extended.

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THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (31-33-BZ)

WHEREAS, this application permitting partly in a residence use district and partly in a business use district the erection and maintenance of a gasoline service station affecting premises 610-622 Utica avenue, northwest corner of Winthrop street (Block No. 4603, Lot Nos. 40 and 43), Borough of Brooklyn, was granted by the Board June 9, 1933, for a period of two years on certain conditions, time to obtain permits and complete work extended September 19, 1933; a similar request for extension of time to obtain permits and complete work denied September 18, 1934, time extended to obtain permits and complete work by order of Court, April 16, 1935 and on January 19, 1937, the Board granted a further extension of the permit; and

WHEREAS, Lama and Proskauer, for Packer Service Center, Inc., present owner, requested a reopening of the application, for an extension of the permit and an amendment of the resolution, to permit the maintenance of an existing gasoline service station for a period of ten (10) years and for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board on November 18, 1941, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Winthrop street is in a residence and business use district; Utica avenue is in a business use district; and East 49th street is in a residence use district; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 4907-41; dated October 30, 1941 and as amended February 18, 1942, reads:

"Proposed parking and storage of more than five motor vehicles in a use district, partly business and partly residential is contrary to Sect. 3 and Sect. 4a(15) and not in conformity with the Board of Standards and Appeals resolution 31-33-BZ."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 109 ft. 9 in. on Utica avenue and 120 ft. 4 in. on Winthrop street. The west part of the plot extends into a residence use district for a distance of approximately 22 ft.,—the remainder is in a business use district. Upon the site, there is a one story building, 65 ft. 6 in. by 25 ft. in area, to be used as office, lubritorium and auto laundry and the necessary tanks and pumps for a gasoline service station and to use the remainder of the plot for parking and storage of more than five motor vehicles. It is proposed to use the plot (as proposed to be developed) for a term of years.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted January 19, 1937, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution will read:

"* * * *granted* for a term of one (1) year from the date of this amended resolution; that the purpose of this extension is to permit the applicant to submit to the Board for further consideration plans showing lot line walls, planting, etc. in connection with his application for a 10-year permit and use of the premises in part for parking of motor vehicles."

696-41-BZ.

APPLICANT—David Koss, for Anthony Gazzola, Edward D. Schneider, Charles Parma and Celestine Parma Powers, owners (Julia Murphy, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—101-15 Rockaway Beach boulevard, south side, 50 ft. east of Beach 102nd street and 184 Beach 102nd street (Block No. 640, Lot No. 11), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: David Koss and Clayton G. Shirkey.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (696-41-BZ)

WHEREAS, David Kass, for Anthony Gazzola, Edward D. Schneider, Celestine Parma Powers and Charles Parma, owners (Julia Murphy, lessee), filed July 25, 1941, an application under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 101-15 Rockaway Beach boulevard, south side, 50 ft. east of Beach 102nd street, and 184 Beach 102nd street (Block No. 640, Lot No. 11), Rockaway Beach, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Rockaway Beach boulevard, Shore Front parkway and Beach 101st street are each in a business use district; and Beach 102nd street is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent, dated June 19, 1941, on Misc. Applic. No. 5472-41, reads:

"1. The storage or parking of more than five motor vehicles in a business district is contrary to Art. II, Sec. 4 of the Zoning Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Parkway Beach boulevard, 374 ft. on Beach 102nd street and 101 ft. on Shore Front parkway. Upon the plot are located two frame multiple dwellings and a frame hotel. It is proposed to use for a term of two (2) years, part of the remainder of the plot having a frontage of 45 ft. on Rockaway Beach boulevard, 66 ft. on Beach 102nd street, and a distance of 340 ft. along the easterly lot line, for parking and storage of more than five motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a zoning variance under section 7-h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-h thereof for a term of two (2) years, to permit the premises, as indicated on plans filed herewith, to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type and those capable and in condition for operation shall be so parked or

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stored; that the plot shall be leveled substantially to the grade of Beach 102nd street and Rockaway Beach boulevard, surfaced with suitable material and enclosed with substantial fencing; that no portion of the parking lot shall be extended toward Shore Front parkway nearer than 60 feet; that the entrances shall be limited to Beach 102nd street and Rockaway Beach boulevard, each not over 15 ft. in width; that during the term of this permit, the premises shall be occupied for no other use and no signs shall be erected on the premises except there may be a sign attached to the fence near each entrance, advertising the parking and storage use and the rates charged, provided same does not extend beyond the building line, does not exceed 10 ft. in area and is not illuminated; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

893-41-BZ.

APPLICANT—Irrving M. Fenichel, for Stapleton Service Laundry, Incorporated and Margreen Realty Company, Incorporated, owners (Stapleton Service Laundry, Incorporated, lessee).

SUBJECT—Application reopened June 23, 1942 (re decision of the acting borough superintendent) under section 21 of the zoning resolution, to permit in a manufacturing use district, the conversion of occupancy of part of an existing building to a laundry (including dry cleaning use).

PREMISES AFFECTED—46-62 Greenleaf avenue and 141-157 Marion street, northwest corner (Block No. 237, Lot Nos. 73 and 69), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Irving M. Fenichel and Edward J. McCormack.

For Opposition: Catherine M. Vroom, Gesine Gott, Nick Gross and Gustave Goldman, Board of Education.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (893-41-BZ)

WHEREAS, Irving M. Fenichel, for Stapleton Service Laundry, Inc. and Margreen Realty Co., Inc., owners (Stapleton Service Laundry, Inc., lessee), filed on October 16, 1941, an application under section 21 of the zoning resolution, to permit in a manufacturing use district, the conversion of occupancy of part of an existing building to a laundry (including dry cleaning use); premises, 46-62 Greenleaf avenue and 141-157 Marion street, northwest corner (Block No. 236, Lot No. 73 and 69), West New Brighton, Borough of Richmond; and

WHEREAS, this application was withdrawn by vote of the Board on January 20, 1942 and subsequently the applicant requested a reopening of the case and consideration by the Board; and

WHEREAS, this application was reopened by the Board on June 23, 1942, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Greenleaf avenue is in manufacturing and residence use districts; Dubois avenue is in a residence use district and Marion street is in manufacturing and residence use districts; and

WHEREAS, the decision of the borough superintendent, dated June 12, 1942, re N. B. Applic. No. 17-42, reads:

"Extension of a laundry use is prohibited in a manufacturing district and this prohibition also includes the extension of any accessory use. (Art. II, Sec. 4-F. Subd. 51 Zone Res.)"

and

WHEREAS, the premises consist of a plot of ground 175 ft. 5 in. on Greenleaf avenue and 250 ft. on Marion avenue, occupied as a laundry. The building in question, located on the northwesterly part of the plot, is one story in height, 40 ft. by 65 ft. irregular in area. It is proposed to use this building as a motor vehicle repair shop and for dry cleaning (accessory to the laundry use of the remainder of plot); and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7c thereof, on condition that the building shall not be increased in height or area; that the sprinkler system in addition to the proposed steam fire fighting system shall be extended throughout the building and such system maintained in adjoining buildings; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as varied by the Board under Cal. No. 354-42-A; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

1023-41-BZ.

APPLICANT—Max Horn, for St. Georges Church, owner (Harry Zeitlin, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—162 Beach 110th street, northeast corner of Ocean promenade (Block No. 654, Lot No. 42), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn and Harry Zeitlin.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1023-41-BZ)

WHEREAS, Max Horn, for St. George Church, owner, filed November 27, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 162 Beach 110th street, northeast corner of Ocean promenade (Block No. 654, Lot No. 42), Rockaway Beach, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 110th street, Shore Front parkway and Beach 109th street are in a residence use district; Rockaway Beach boulevard is in residence and business use districts and Ocean promenade is in a residence use district; and

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WHEREAS, the decision of the borough superintendent, dated October 24, 1941, re Misc. Applic. 9941-41, and as amended April 23, 1942, reads:

"1. The parking of cars on a plot located in a residence zone is contrary to article 2, section 3 of the Zoning Law.

1M. Parking motor vehicles on same lot with multiple dwelling is in violation of Sec. 58 and Sec. 60 Multiple Dwelling Law."

and

WHEREAS, the premises consist of a plot with a frontage of 300 ft. on Beach 110th street and 200 ft. on Ocean promenade, upon which are located a 2-story frame multiple dwelling (including a restaurant), a 2½ story frame multiple dwelling and several bungalows. It is proposed to use the vacant part of the plot (having a frontage of 165 ft.) on Beach 110th street, for a term of two years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a zoning variance under section 7-h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-h thereof for a term of two (2) years, to permit that portion of the plot as indicated on plans filed with this application to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only such motor vehicles of the pleasure-car type and those capable of operation shall be so parked and stored; that the parking and storage shall be restricted to the cars belonging to the tenants of the residential buildings on the plot as indicated on such plan and their friends; that the plot shall be leveled substantially to the grade of the street and shall be adequately surfaced and fenced; that a sign shall be erected at the entrance on Beach 110th street, stating the use is limited to the tenants and their friends; that no parking shall be maintained contrary to section 60 of the Multiple Dwelling Law as to occupancy of spaces required therefor for yards and courts; that all permits required shall be obtained and all work completed within three (3) months of the date of this resolution.

1052-41-BZ.

APPLICANT—Frank Straub, for Frederick Figge Company, owner.

SUBJECT—Application (re decision of the borough superintendent under Section 7c of the zoning resolution, to permit in a business use district, the conversion of occupancy of an existing building to factory use.

PREMISES AFFECTED—300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Straub.

For Opposition: John H. Kearney, Joseph Esposito, Maria Ficarra and E. F. Quirke.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1052-41-BZ)

WHEREAS, Frank Straub, for Frederick Figge Company, owner, filed December 4, 1941, an application under section 7c of the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing

building to factory use; premises: 300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying this application show that Pacific street is in a business use district; Dean street is in a business use district; Smith street is in a business use district and Hoyt street is in a business use district; and

WHEREAS, the decision of the Borough Superintendent, dated December 1, 1941 re Alt. Application No. 2521-1941, reads:

"2. Proposed change of occupancy from storage to factory is contrary to Art. II, Sec. 4c of the Building Zone Resolution as the building is located within a business use district."

and

WHEREAS, the existing building is of Class 3 construction, 50 ft. frontage, 95 ft. depth; four (4) stories in height. It is proposed to convert the occupancy of the existing building to a factory; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, *on condition* that the building in all other respects shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. No. 456-42-S; that the doors now existing in the first floor and second floor between this building and the adjoining garage building shall either be removed or sealed; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

143-42-BZ.

APPLICANT—Jacob J. Gloster, for Five Eleven Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7a and 7c of the zoning resolution, to permit in a residence use district, the alteration and extension of a business use on the first (1st) story and, also, the extension and conversion of occupancy from residence use to business use of the second (2nd) story of an existing building.

PREMISES AFFECTED—509 East 72nd street, north side, 173 ft. east of York avenue (Block No. 1484, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Jacob J. Gloster.

For Opposition: G. J. Bender.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (143-42-BZ)

WHEREAS, Jacob J. Gloster, for Five Eleven Realty Corporation, owner, filed February 18, 1942, an application under section 7a and 7c of the zoning resolution, to permit in a residence use district, the alteration and extension of a business use in the first story and also the extension and

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conversion of occupancy from residence use to business use of the second story of an existing building; premises 509 East 72nd street, north side, 173 ft. east of York avenue (Block No. 1484, Lot No. 8), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompany the zoning resolution show that East 72nd street is in a residence and business use district; East 73rd street is in an unrestricted and residence use district; York avenue and East River drive are each in a residence and unrestricted use district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 2489-41, dated January 16, 1942, reads:

"1. (Repeated) Proposed extension of business use on first floor and second floor in a residence district contrary to sec. 3 of zoning resolution.

2. (Repeated) Proposed changed use on the second floor from residence to office in a residence district is contrary to sec. 3 of zoning resolution."

and

WHEREAS, the existing building is of Class 3 construction, six stories in height, having a frontage of 25 ft. and a depth of 34 ft. The existing building is occupied on the first story as a store and as dwellings above the first story. It is proposed to extend the area of the first story to the rear lot line by the erection of an extension 25 ft. by 66 ft. in area and to occupy the 1st story as extended for general office use; also it is proposed to extend the area of the 2nd story of the erection of an extension 25 ft. by 18 ft. in area and to use the 2nd story as extended, as offices; it is proposed to continue the occupancy of the four upper stories as dwellings; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted, under section 7c thereof, to permit the building to be occupied for business uses as proposed in conjunction with the buildings adjoining under the same ownership, on condition that the building shall be reduced in height to two stories and the residential occupancy eliminated; that the proposed first and second story occupancy shall be for office work only; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that rear yard, as required by the zoning resolution, shall be provided; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

228-42-BZ.

APPLICANT—Thomson Hill Land and Improvement Company, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—39-16 48th avenue, southwest corner of 39th place (Block No. 206, Lot No. 18), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (228-42-BZ)

WHEREAS, Thomson Hill Land and Improvement Company, owner, filed March 20, 1942, an application under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles, premises 39-16 48th avenue, southwest corner of 39th place (Block No. 206, Lot No. 18), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 48th avenue and Greenpoint avenue are in a business use district; 39th place and 39th street are each in business and residence use districts; and

WHEREAS, the decision of the borough superintendent, dated February 25, 1942, re Misc. App. No. 387-42, reads:

"The use of these premises for the parking and storage of more than five motor vehicles in a business district is contrary to Art. 2, sec. 4a subdivision 15 of the Zone resolution. Not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on 48th avenue and 100 ft. on 39th place. It is proposed to use the plot for a term of two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed there was no justification for the exercise of its discretion to grant a zoning variance under section 7h of the zoning resolution;

Resolved, that the decision of the borough superintendent on Misc. App. No. 387-42, be and it hereby is affirmed and that the application be and it hereby is denied.

314-42-BZ.

APPLICANT—Union Parking Corporation (lessee), for Dry Dock Savings Institution, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a Retail-1 use district, for a term of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—122-126 West 48th street, south side, 245 ft. west of Sixth avenue (Block No. 1000, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: John R. Davis, Ira Levin and A. Steers.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Murphy 3

Negative: Commissioner Blum 1

THE RESOLUTION (314-42-BZ)

WHEREAS, Union Parking Corporation, for Dry Dock Savings Institution, owner, filed April 15, 1942 an application under section 7h of the zoning resolution, to permit in a retail-1 use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises: 122-126 West 48th street, south side, 245 ft. west of Sixth

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avenue (Block No. 1000, Lot No. 43), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 48th street, West 47th street and Sixth avenue are each in a retail-1 use district; and

WHEREAS, the decision of the borough superintendent, dated March 18, 1942, reads:

"In answer to your letter of March 11th, 1942 in which you state that you intend to take an appeal to the Board of Standards and Appeals on our denial to your application for a certificate of occupancy for use of the above premises as a parking space and explaining that the time in which to take said appeal has expired and request that this department grant an extension of time in which to make said appeal, we wish to advise you that this department has no jurisdiction to grant such extension and our denial of February 17th, 1942 is herewith repeated:

"With reference to your application dated January 30th, 1942 for a certificate of occupancy for above premises, please be advised that the premises are located in a retail 1 district and occupancy of premises, after removal of existing building, as a parking space will be contrary to Article 2 4E of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. and a depth of 100 ft. It is proposed to use the plot, for a term of two (2) years, for parking of more than five (5) motor vehicles. Also, it is proposed to use this plot in conjunction with the existing transient parking lot (which was previously granted by the Board), located at the rear of the premises in question; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h. of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application *be and it hereby is granted* under section 7h thereof, to permit the plot to be occupied for the transient parking of more than five (5) motor vehicles, on *condition* that the plot shall be occupied for no other purpose; that this plot may be occupied in conjunction with the premises for which a similar use has been permitted by the Board under Cal. No. 271-1937-BZ, as extended from December 23, 1941, for a term of two (2) years; that the plot shall be leveled substantially to the grade of West 48th street and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and treated with a binder, so as to prevent dusting, and properly graded so as to provide surface drainage; that the entrance to the premises shall consist of one, approximately at the center of the premises as indicated on revised plan marked "Received July 24, 1942", such entrance shall not exceed 15 ft. in width on 48th street with curb cut opposite of similar width; that there shall be erected on the street building line, a wrought iron picket fence or masonry wall not less than 4 ft. in height, continuously except for such entrance; that no buildings shall be erected on the premises; that where walls of adjoining buildings do not occur along interior property lines, except where the line is in common with the adjoining lot where a similar use has been permitted, there shall be erected a substantial woven wire fence or masonry wall not less than 6 ft. in height; that lights for illumination shall be so arranged as to reflect toward the center of the plot away from the adjoining occupancy; that no signs shall be erected, except here may be one sign attached to the fence advertising the transient parking use, provided such sign does not exceed 10 sq. ft. in area and does not extend beyond the building line and is not illuminated; that such portable fire fighting appliances shall be maintained as the fire commissioner

shall direct; that proper aisles shall be maintained at all times for easy entrance and egress and a vacant area shall be maintained at the rear of the West 48th street plot and adjoining the West 47th street plot for transfer purposes; that the plots shall jointly not have more than 60 motor vehicles parked at any one time; that only motor vehicles of the pleasure car type and those in condition for operation shall be so parked; that all permits shall be obtained within three (3) months from the date of this resolution.

349-42-BZ.

APPLICANT—Herman Kron, for Emigrant Industrial Savings Bank, George Kraus and John Kraus, owners (J. K. Construction Company, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: Lawrence B. Cohen, William Henke and Andrew Taggard.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (349-42-BZ)

WHEREAS, Herman Kron, for Emigrant Industrial Savings Bank, George Kraus and John Kraus, owners (J. K. Construction Co. Inc., lessee), filed April 13, 1942, an application under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises, 350-352 West 45th street, south side, 200 ft. east of Ninth avenue (Block No. 1035, Lot Nos. 55 and 56), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 45th street and West 44th street are in residence and Retail use districts; Tenth avenue and Ninth avenue are in a Retail use district; and

WHEREAS, the decision of the borough superintendent, dated April 8, 1942, reads:

"In reply to your letter of April 2nd, 1942 in which you request an extension of time in which to take an appeal to the Board of Standards and Appeals on our denial to issuance of a certificate of occupancy for use of above premises for parking and storage of more than five motor vehicles, we wish to advise you that this department has no authority to extend such time and our denial of March 2nd, 1942 is herewith repeated:

"Relative to your application dated February 21, 1942, for a certificate of occupancy for use of above premises for parking and storage of more than five (5) cars, we wish to inform you that said application has been denied for the reason that premises are located in a residence district where this occupancy is prohibited by Section 3, Article 2 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot having a frontage of 50 feet and a depth of 100 feet. It is proposed to use the plot for a term of two (2) years for parking and

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storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7h of the zoning resolution and that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent dated April 8, 1942, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

425-42-BZ.

APPLICANT—Bishop, McCormick and Bishop (lessees), for Bismac Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7i and 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of years, the conversion of occupancy of a building to a motor vehicle repair shop (this case was previously acted upon by the Board).

PREMISES AFFECTED—139-29 Hillside avenue, north side, 103.40 ft. west of 143rd street (Block No. 9698, Lot Nos. 21 and 23), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank P. Reilly, Eric M. Holmgren, R. L. Bennett, Charles Oppenheimer and C. M. Bishop.

For Opposition: Joseph M. Lonergan, Joseph E. Backer and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (425-42-BZ)

WHEREAS, Bishop, McCormick and Bishop (lessees), for Bismac Corporation, owner, filed May 22, 1942, an application under sections 7i and 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of years, the conversion of occupancy of a building to a motor vehicle repair shop (this case was previously acted upon by the Board); premises: 139-29 Hillside avenue, north side, 103.40 ft. west of 143rd street, (Block No. 9698, Lot Nos. 21 and 23), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 28, 1942 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Hillside avenue is in a business use district; 87th drive is in a residence use district; 143rd street and 139th street are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, dated April 22, 1942 on Alt. Applic. No. 634-42, reads:

"1. Secure approval of Board of Standards and Appeals for proposed change of occupancy, as these premises were approved for their present use in the Bulletin of June 17, 1924.

2. The proposed use of these premises as a general motor vehicle repair shop is contrary to Article 2 section 3 of the Building Zone Resolution."

and

WHEREAS, the existing building is of non-fireproof construction, 125 ft. frontage, 130 ft. maximum in depth and one story in height. A small area, at the northwesterly

part of the existing building is located in a residence use district—the remainder is in a business use district. It is proposed to use the building, for a term of years, as a motor vehicle repair shop; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this is a proper case in which to exercise its discretion to grant a variance under section 7i of the Zoning Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7i thereof for the term of the present war emergency and for one year thereafter, to permit the existing premises to be occupied in addition to the present permitted use as indicated in the resolution granted by the Board on June 10, 1924, under Cal. No. 318-24-A, for the reconstruction, readaptation and repair of motor vehicles other than those dealt in by the agency, *on condition* that such work shall be carried on entirely within the building and that only such spaces shall be used inside the building as are not now occupied for the general repairing of motor vehicles dealt in; that such work shall be done manually with hand tools; that any machinery required shall be installed only for use during this emergency period and shall be removed upon the expiration thereof; that no additional signs shall be constructed or maintained on the building; that in all other respects, the building, open area of the plot where lawfully occupied and the occupancy shall conform with all laws, rules and regulations applicable thereto.

508-42-BZ.

APPLICANT—William Shary, for S. E. R. Realty Corporation, owner (H. E. R. Laboratories, Incorporated, lessee).

SUBJECT—Application (re decision of the acting borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the extension in height of a business building.

PREMISES AFFECTED—457 West 46th street, north side, 175 ft. east of Tenth avenue (Block No. 1056, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary, Samuel Fassler and William Henke.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (508-42-BZ)

WHEREAS, William Shary, for S. E. R. Realty Corporation, owner (H. E. R. Laboratories, Inc., lessee), filed June 24, 1942, an application under section 7c of the zoning resolution, to permit in a residence use district, the extension in height of a business building; premises: 457 West 46th street, north side, 175 ft. east of Tenth avenue (Block No. 1056, Lot No. 8), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 46th street and West 47th street are each in residence, unrestricted and business use districts and Tenth avenue is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent dated June 8, 1942, on Alt. Applic. No. 2509-41, reads:

"The amendment dated June 3, 1942 is again disapproved and the objection No. 1 dated Nov. 26, 1941 is again repeated as follows:

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1. The proposed extension in height of a business building located in a residence district is contrary to Art. 2, Sec. 3 and Sec. 6 of the Zoning Resolution of the City of New York."

and

WHEREAS, the existing building is of fireproof construction, 25 ft. frontage, 100 ft. 5 in. in depth at 1st story, 90 ft. 4 in. in depth above the first story, three (3) stories and basement (44 ft.) in height. The present building is occupied for developing and printing motion picture film. It is proposed to erect upon the front portion of the roof of the building, vaults (25 ft. by 9 ft. 4 in. by 12 ft. high) for the storage of motion picture films; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7c thereof, on condition that the building shall not be further increased in height or area; that the use of the building shall not be increased; and that in all other respects, the construction and occupancy shall comply with all laws, rules and regulations applicable thereto; and granted only so long as the building is occupied substantially as proposed; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

271-37-BZ.

APPLICANT—John R. Davis, for Union Parking Corporation, lessee.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district the maintenance of a transient parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—123-127 West 47th street, north side, 220 ft. west of Sixth avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

APPEARANCES—

For Applicant: John R. Davis, Ira Levin and A. Steers.

• For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner

Savage and Deputy Chief Murphy..... 3

Negative: Commissioner Blum..... 1

THE RESOLUTION (271-37-BZ)

WHEREAS, this application, permitting in a retail use district, the maintenance of a transient parking space for more than five (5) motor vehicles for a temporary period, affecting premises 123-127 West 47th street, northside, 220 ft. west of Sixth avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan, was granted by the Board November 27, 1937, on certain conditions, resolution amended October 25, 1938, permit extended January 30, 1940 and December 23, 1941 and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on November 23, 1937, adding thereto:

"that if the plot in the rear, known as Lot 43 in Block 1,000, is occupied in conjunction with this lot for similar

transient parking purposes, the fence along the common rear line of such lot may be omitted; that the curb cut on West 47th street shall be reduced from 25 ft. to 15 ft. with entrance of similar width, and the wall along the street line shall be extended, to agree with reduced width of entrance; that a space near the entrance shall be left clear at all times for transferring of cars as indicated on plan marked "Received July 24, 1942," filed in connection with Cal. No. 314-42-BZ (122-126 West 48th street), where a transient parking use has been permitted under conditions applying jointly to the combined plot."

APPEALS FROM ADMINISTRATIVE DECISIONS.

584-42-A.

APPLICANT—Sidney L. Strauss, for General Bronze Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—34-12 10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45, inclusive), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to July 31st, 1942 at 10 A. M.

354-42-A.

APPLICANT—Irving M. Fenichel, for Stapleton Service Laundry, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—48 Greenleaf avenue, west side, 95 ft. 5 in. north of Marion avenue (Block No. 236, Lot No. 69), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Irving M. Fenichel and Edward J. McCormack.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (354-42-A)

WHEREAS, Irving M. Fenichel, for Stapleton Service Laundry, owner, filed April 27, 1942, an appeal from a decision of the borough superintendent affecting premises 48 Greenleaf avenue, west side, 95 ft. 5 in. north of Marion avenue (Block No. 236, Lot No. 69), West Brighton, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent dated May 14, 1942, on Misc. Applic. No. 90-42 reads:

"1. Installation of Vorclone-Allison system to fully comply with requirements of Certificate of Approval granted by the Board of Hazardous Trades in 1929.

2. Tumblers should be installed in a separate room, accessible to outer air."

and

WHEREAS, the applicant states that the proposed building will be 1 story (11 ft.) in height, 28 ft. by 44 ft. in area, of Class 3 construction, located on a lot 80 ft. by 200 ft. irregular in area, in a manufacturing use C area district and occupied as a technical establishment (clothes cleaning plant), employing use of solvent having flashpoint in excess of 100° F., 10 persons; and

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WHEREAS, the applicant contends that the Vorclone-Allison System, referred to in the said objections, was approved under #594, by the Board of Hazardous Trades of the Fire Department, on May 29, 1929; that the approval permitted the use of this system in connection with dry cleaning plants; that the plant will employ only the use of solvents having a flashpoint in excess of 100° F. and is, therefore, a technical establishment as defined in chapter 19 of the Administrative Code and Charter of the City of New York; that the proposed installation will be fundamentally the same as the said approved Vorclone-Allison System, except that: (1) there is not to be any heater used for heating solvent leaving the filter; (2) there is not to be an alkali mixer; (3) there is not to be an agitroler in the line through which the solvent leaving the circulating pump passes; (4) as to the underground tanks, there is to be one 550 gallon capacity, vertical cone bottom, Dump Tank and one 1000 Gallon capacity, cylindrical, horizontal, New Solvent Tank in lieu of the one 1000 gallon capacity and five 1475 gallon capacity, vertical type cone bottom underground tanks as provided for in the approval of the Vorclone-Allison System; (5) all piping will be standard black steel pipe, in lieu of galvanized wrought iron with malleable iron fittings as provided for in the approval of the Vorclone-Allison System; (6) there is to be a secondary filter, not provided for in the approved Vorclone-Allison System, through which the solvent will pass before entering the still pump. This item, which is identified as a Waste Filter, is packed with rags and is used for the purpose of preventing any solid particles from entering the pump; (7) there is to be two, above ground, clarifier tanks, not provided for in the Vorclone-Allison System, each having a capacity of 135 gallons. These tanks are: (a) cylindrical, have cone bottoms and are set upright on steel legs; (b) of welded steel construction and built to withstand hydrostatic pressure of 40 lbs. per square inch; (c) constructed of steel (14 gauge shell and cone bottom and 10 gauge top); (d) 27½ in. diameter with 48 in. long cylinder and being 60 in. high overall; (e) provided with dial type liquid level gauge for observation by operator; (f) vented to outer air, with vent pipes having return bends and installed as required by the Administrative Code and Charter of the City of New York; (g) equipped with overflow piping connected to underground tanks. With reference to this proposed installation, it is necessary to vary from the said approved Vorclone-Allison System, as outlined above, because: a) of the modern methods employed in this industry; (b) of the fact that the said modern methods have resulted in the simplification of reclamation and treatment of the solvent and therefore, does not require as many underground tanks for an installation of this size; (c) it is extremely difficult, under present conditions, to obtain cone bottom tanks, as these are of special manufacture and therefore it is unavoidably necessary that the proposed 1000 gallon tank be horizontal as shown on plans. The said horizontal tank as well as the vertical tank will be constructed as provided for in the Vorclone-Allison approval with reference to thickness of metal, method of fabrication and resistance to test. Both tanks are to be of approved type, encased in concrete and otherwise protected as provided for in the aforementioned Vorclone-Allison approval. The total amount of solvent in the above ground equipment will be 515 gallons as shown on plans. Therefore, the below ground Dump Tank will be of ample size to receive all the solvent from the said above ground equipment at one time; (d) the galvanized wrought iron pipe and malleable iron fittings are not obtainable, at this time, and therefore it becomes necessary to use standard black steel pipe. With reference to Objection No. 2, it is submitted that while Article 13 of Chapter 19 of the Administrative Code, Section C19-78g, requires that: "drying tumblers shall not be permitted in rooms obtaining washing tanks * * *", this provision is specifically designed to apply to dry cleaning and dry dyeing establishments and not to technical establishments such as the proposed plant. The installation of the tumblers in separate room would create considerable

hardship, in that it would become necessary to leave a minimum working space of about 5 ft. between the front of the tumblers and the wall and an additional 5 ft. between the front of the washers and the wall in the respective separate rooms. The additional space so required would deprive the owner of floor area indispensable to such other operations as assorting, inspection, pressing, shipping, etc. The placing of tumblers in separate room would also deprive the owner of the convenience of direct handling of clothes from the extractor to the tumblers. This would necessitate considerable additional handling and use of hand trucks or baskets, thereby reducing the efficiency and increasing the cost of operation; that (a) while this proposed installation does not come within the classification of a dry cleaning plant, the requirements of Article 13 of Chapter 19 of the Administrative Code, specifically designed to apply to dry cleaning establishments, will be complied with, in every respect, except as otherwise specifically stated herein and such compliance will include the installation of a system of mechanical ventilation and a steam extinguishing system; (b) the cleaning room will be within a one story building and the said room will have a fire-retarded ceiling, be enclosed with masonry walls, be separated from the rest of the building by unpierced masonry walls having only one opening, which will be used as a doorway and which will be protected by a fireproof door; that the owner and occupant of the premises will suffer practical difficulties and unnecessary hardship if prevented from varying from any of the provisions of the approval issued in connection with the Vorclone-Allison System and if required to install the tumblers in a separate room.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 90-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the installation shall comply with the requirements of all laws, rules and regulations applicable thereto and under the conditions as set forth in resolution adopted this date by the Board under Cal. No. 893-41-BZ; and as to Obj. No. 2 *on condition* that in addition to the sprinkler system and steam fire-fighting system, mechanical ventilation in the tumbler room shall be maintained with controls on the ventilating system interlocked with the tumbler system controls so as to be assured that the ventilation system will always be in operation at the time the tumblers are in operation; that such mechanical ventilation shall be in addition to the natural ventilation furnished by doors and windows; that the capacity of the ventilating fans shall be sufficient to guarantee at least 10 changes of air per hour; that all equipment shall be grounded as approved for explosive atmospheres.

456-42-S.

APPLICANT—Frank Straub, for Frederick Figge Company, owner.

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—300-302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Straub.

For Opposition: E. F. Quirke.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative: 0

THE RESOLUTION (456-42-S)

WHEREAS, Frank Straub, for Fred Figge, owner, filed June 5, 1942, an application for variation of the labor law as cited in a decision of the borough superintendent, premises 300-

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REGULAR MEETING

TUESDAY AFTERNOON, JULY 28, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

203-28-BZ.

APPLICANT—Seymour Mork and Henry Nordheim, for Fan Ri Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the acting borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a residence use district, the maintenance of an illuminated electric sign on a store located in a multiple dwelling (the said store was previously granted by the Board).

PREMISES AFFECTED—1801 University avenue and 165 West Tremont avenue, northwest corner (Block No. 2879, Lot No. 100), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application to reopen, dismissed for lack of prosecution.

THE VOTE TO DISMISS APPLICATION TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

177-33-BZ.

APPLICANT—Lama and Proskauer, for Joseph Gross, owner.

SUBJECT—Application for consideration—reopening on a new proposal (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, motor vehicle repair shop, auto laundry, lubritorium and office (previously denied re gasoline service station).

PREMISES AFFECTED—1510-1522 Rockaway parkway and 9616-9626 Flatlands avenue, southwest corner (Block No. 8204, Lot Nos. 42 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

245-42-BZ.

APPLICANT—David Weinberg, for Mary D. Welling and Simmons Realty, Incorporated, owners (J. S. Krum, Incorporated, lessee).

SUBJECT—Application (re decision of the acting borough superintendent) under sections 7a, 7c and 21 of the zoning resolution, to permit in a business use district, the maintenance of a (new) illuminated business sign; the combined area of which sign and the area of the existing sign exceeds 15% of the area of the wall surface on which these signs are displayed.

PREMISES AFFECTED—2460-2468 Grand Concourse and 201 East 188th street, northeast corner (Block No. 3153, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

302 Pacific street, south side, 250 ft. east of Smith street (Block No. 188, Lot No. 20), Borough of Brooklyn; and WHEREAS, the decision of the borough superintendent, dated December 1, 1941, on Alt. Applic. 2521-41 reads:

"3. Show exits for building to comply with Sect 271 Labor Law and Factory Exit Rules of the Board of Standards and Appeals.

4. Minimum allowable floor loads for factory occupancy is 120 lbs. per sq. ft. Sect 7.3.2.3 Code."

and

WHEREAS, the applicant states that the building is 4 stories, (45 ft.) in height, 50 ft. by 95 ft. in area; of Class 3 construction; located in a business use district; erected in 1885; occupied: Cellar, storage; 1st floor, mfg. ventilators; 2nd floor, mfg. showcases, 4 persons; 3d floor, mfg. gauges, 4 persons; 4th floor, factory—vacant; no change in use or occupancy is proposed. The building is equipped with one 3 ft. 8 in. wood stairs, leading from roof bulkhead direct to street, enclosed in wood partitions, covered with metal on both sides, equipped with wood doors, and one fire escape at the rear of the building, extending to roof by ladder and to street through adjoining properties; and

WHEREAS, Violation No. 1519-41 was issued March 24, 1941, for erecting new wood stud partitions for offices and vestibules on the north section of 2nd floor and for exit door to stairs without a permit and using the 1st, 2nd and 3rd stories for factory without a certificate of occupancy; and

WHEREAS, the applicant stated to the Board that the question of erecting partitions will be taken up with the borough superintendent under a separate application; and

WHEREAS, the applicant contends that the building has a Labor Law fire escape at rear extending to roof with two fireproof windows on each floor opening on same with exit from the bottom of the fire escape to adjoining yard; that the building is equipped with an interior wood stairs enclosed in metal-covered partitions with wood doors; that the present live loads are 75 lbs. on the 1st, 70 on the 2nd and 3rd and 55 on the 4th floors; that these loads will be sufficient, as there will not be any heavy machinery or manufacturing in this building and it is requested that this condition be accepted; that all exit requirements as approved by the Board under Cal. 1287-23-S have been complied with; that the question of floor loads was not submitted to the Board at that time and was apparently accepted by the Division of Fire Prevention, as the building was used for the manufacturing of bed springs on the 1st, storage on the 2nd, manufacturing of gauges on the 3rd and brass goods on the 4th floors, according to the records of the Department.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law as cited in a decision of the borough superintendent acting on Alt. Applic. No. 2521-41, Obj. No. 3 and that the application be and it hereby is granted on condition that the stairway throughout shall comply with the requirements of the resolution as adopted by the Board under Cal. No. 1287-23-S; that the rear fire escape shall comply with the requirements of the Labor Law and egress shall be maintained through to the street as required in that resolution; and withdrawn as to Objection No. 4, on condition that the floor load throughout shall be not less than 120 lbs. per superficial foot; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. No. 1052-41-BZ, and that no use shall be maintained in the building contrary to the requirements of Section 4, Subdivision B of the zoning resolution; that no factory in the building shall be operated at night between the hours of 7 P. M. to 8 A. M. or on Sundays or holidays.

Adjourned, 2:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

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THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

105-41-BZ.

APPLICANT—George W. Cornell, Administrator of
Estate of William H. Schmohl, owner.

SUBJECT—Application for consideration—reopening and
extension of time—re Application (decision of the
borough superintendent) previously granted on con-
dition, under section 7h of the zoning resolution,
permitting in a residence use district, the parking
and storage of more than five (5) motor vehicles
for a term of two (2) years.

PREMISES AFFECTED—442 East 109th street, south-
west corner of East River drive (Block No. 1702,
Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: Geo. W. Cornell, A. Lama and
Frank Salerno.

For Administration: Fred Dahlem, Dep't of Hous-
ing and Buildings.

ACTION OF BOARD—Application reopened and time
extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (105-41-BZ)

WHEREAS, Lama and Proskauer, for George W. Cornell,
Administrator of Estate of William H. Schmohl, owner,
filed February 7, 1941, an application under section 21 of the
building zone resolution, to permit in a residence use district,
the parking and storage of more than five (5) motor
vehicles, and also the conversion of occupancy of a structure
to a garage for more than five (5) motor vehicles; premises
442 East 109th street, southwest corner of East River drive
(Block No. 1702, Lot No. 29), Borough of Manhattan; and

WHEREAS, this application was granted by the Board
January 20, 1942, on certain conditions and applicant re-
quested an extension of time to obtain permits and complete
the work.

Resolved, that the Board of Standards and Appeals does
hereby *amend* the resolution adopted on January 20, 1942,
only so far as it has reference to obtaining of permits and
completion of work, so that as amended this portion of the
resolution shall read:

*"that all permits shall be obtained and all work com-
pleted within six (6) months from the date of this
amended resolution."*

834-41-BZ.

APPLICANT—Max Horn, for 101 Beach 61st Street Cor-
poration, owner.

SUBJECT—Application for consideration—reopening and
extension of time—re Application (decision of the
borough superintendent) previously granted on con-
dition, under section 7h of the zoning resolution, per-
mitting in a residence use district, for a term of
two (2) years, the seasonal transient parking of
more than five (5) motor vehicles.

PREMISES AFFECTED—101 Beach 61st street, west side,
566 ft. south of Larkin avenue (Block No. 354, Lot
No. 75), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Mollie Horn.

ACTION OF BOARD—Application reopened and time ex-
tended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (834-41-BZ)

WHEREAS, Max Horn, for 101 Beach 61st Street Corpora-
tion, owner, filed September 26, 1941, an application under
section 7h of the building zone resolution, to permit in a
residence use district, for a temporary period of not more
than two (2) years, the parking of more than five (5)
motor vehicles; premises 101 Beach 61st street, west side,
566 ft. south of Larkin avenue (Block No. 354, Lot No.
75), Arverne, Borough of Queens; and

WHEREAS, this application was granted by the Board April
28, 1942, on certain conditions and the applicant requested
an extension of time to obtain permits and complete the
work.

Resolved, that the Board of Standards and Appeals does
hereby *amend* the resolution adopted on April 28, 1942, only
so far as it has reference to obtaining permits and comple-
tion of work, so that as amended this portion of the resolu-
tion shall read:

*"that all permits shall be obtained, and in view of state-
ment by the applicant that the fences and curb cut have
been constructed, that all work shall be completed
within two (2) months from the date of this amended
resolution."*

120-42-BZ.

APPLICANT—Randolph H. Almirot, for The Salvation
Army, owner.

SUBJECT—Application for consideration—reopening and
extension of time—re Application (decision of the
borough superintendent) previously granted on con-
dition, under section 7c of the zoning resolution,
permitting in a business use district, the conversion
of occupancy of an existing building to paper sort-
ing and baling and, also, for factory use covering
more than the permissible 25% of the total floor
area.

PREMISES AFFECTED—2-22 Quincy street and 1-9
Downing street, southeast corner (Block No. 1972,
part of Lot No. 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and time ex-
tended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (120-42-BZ)

WHEREAS, Randolph H. Almirot, for The Salvation
Army, owner, filed February 10, 1942, an application under
section 7c of the building zone resolution, to permit in a
business use district, the conversion of occupancy of an ex-
isting building to paper sorting and baling, and also for
factory use covering more than the permissible 25% of the
total floor space; premises 2-22 Quincy street and 1-9
Downing street, southeast corner (Block No. 1972, part of
Lot No. 2), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board April
28, 1942, on certain conditions and applicant requested an
extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does
hereby *amend* the resolution adopted on April 28, 1942, only
so far as it has reference to obtaining permits and comple-
tion of work, so that as amended this portion of the resolu-
tion shall read:

*"that all permits shall be obtained and all work com-
pleted within six (6) months from the date of this
amended resolution."*

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APPEALS FROM ADMINISTRATIVE DECISIONS.

202-42-A.

APPLICANT—Fort Greene Refrigerating Service, Incorporated, for Conron Realty Corporation and Atlantic-South Elliot Corporation, owners (Blue Ribbon Provisions, Incorporated, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—172-176 and 178-184 South Elliot place, west side, 131 ft. 4 in. north of Atlantic avenue (Block No. 2002, Lot Nos. 46-52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Greenberg.

ACTION OF BOARD—Placed on Reserve Calendar.

493-42-A.

APPLICANT—Brewster Aeronautical Corporation, lessee, for Ford Motor Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—32-14 Northern boulevard, southwest corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Merwin Lewis.

For Administration: Thos. A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to September 15, 1942 at 2 P. M., at request of applicant's representative.

494-42-S.

APPLICANT—Brewster Aeronautical Corporation, lessee, for Ford Motor Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Merwin Lewis.

ACTION OF BOARD—Laid over to September 15, 1942 at 2 P. M. at request of applicant's representative.

561-42-A.

APPLICANT—Anthony J. Yaconetti, for Jennie Pica, adjoining property owner.

OWNER OF PREMISES—Margaret Hoffman.

SUBJECT—Appeal from a decision of the borough superintendent re Revocation of Alt. 367-42.

PREMISES AFFECTED—4555 Third avenue, southwest corner of Lorillard place, and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony J. Yaconetti.

ACTION OF BOARD—Referred to Engineer of the Board. Owner to be notified when date is set for hearing.

571-42-A.

APPLICANT—Colonial Pipe and Supply Corporation, lessee, for Insular Lumber Sales Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: David Abramowitz.

ACTION OF BOARD—Laid over to September 15, 1942 at 2 P. M., at request of applicant's representative.

507-42-A.

APPLICANT—Arthur Weiser, for 28th Properties, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Estelle Weiser.

ACTION OF BOARD—Appeal withdrawn without argument at request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

525-42-A.

APPLICANT—Samuel Fleisher, lessee, for 60 South 4th Street Corporation, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—60 South 4th street (rear), southeast corner of Wythe avenue and 359 Wythe avenue, east side, 80 ft. south of South 4th street (Block No. 2442, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Laufgraben and Samuel Fleisher.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

564-42-A.

APPLICANT—Randolph H. Almiroti, for The Salvation Army, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—937-939 Fulton street and 485-495 Waverly avenue, northeast corner (Block No. 1978, Lot Nos. 1 and 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Randolph H. Almiroti.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

576-42-A.

APPLICANT—Max Siegel, for N. H. Lyons and Company, Incorporated, owner (Lyoles Realty Corporation, lessee).

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—332-334 Pearl street, west side, 130 ft. 1 in. north of Myrtle avenue (Block No. 140, Lot Nos. 25-26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Max Siegel.

For Administration: Thos. A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

MINUTES

138-42-A.

APPLICANT—Gilbert I. Prowler, for Joseph Gross, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1510-1512 Rockaway parkway and 9614-9626 Flatlands avenue, southwest corner (Block No. 8204, Lot No. 42), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (138-42-A)

WHEREAS, Gilbert I. Prowler, for Joseph Gross, owner, filed February 17, 1942, an appeal from a decision of the borough superintendent, affecting premises 1510-1512 Rockaway parkway and 9614-9626 Flatlands avenue, southwest corner (Block No. 8204, Lot No. 42), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

309-42-A.

APPLICANT—Lama and Proskauer, for Dair and Smith, owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—45-12 to 45-20 79th street, northwest corner of 46th avenue (Block No. 1530, Lot No. 42), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Benjamin Gollay.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (309-42-A)

WHEREAS, Lama and Proskauer, for Dair and Smith, owners, filed on April 14, 1942, an appeal from a decision of the borough superintendent; premises 45-12 to 45-20 79th street, northwest corner of 46th avenue (Block No. 1530, Lot No. 42), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N. B. Applic. No. 849-41, dated April 7, 1942, reads:

"This refers to your letter of April 1st asking that we reinstate permit for the construction of the building on the above approved application. Please be advised that we are unable to reinstate the permit which was revoked on May 8, 1941, as the approval was given for the building to be erected in an unrestricted zone and at the present time the location is zoned for residence B use."

and

WHEREAS, the applicant states that the proposed building will be one-story (15 ft.) in height, 100 ft. by 160 ft. in area; of Class 1 construction; located in a residence use "B" area district and occupied; cellar, boilerroom; 1st floor, public garage for more than five motor vehicles and the sale of gasoline; and

WHEREAS, the applicant contends that the present owners acquired title to the premises in question on March 31, 1941, after a search in all the various Municipal Departments disclosed that the premises in question was located in the unrestricted zone; that plans were prepared and filed with the Department of Housing and Buildings in the Borough of Queens, on March 6, 1941, that these plans call for the erection of a one story fireproof building measuring 100 ft. on 79th street, and 160 ft. on 46th avenue, the building to be used as a public garage for the parking and storing of more than five motor vehicles; that these plans were approved on April 2, 1941; that on April 24, 1941, after all subcontracts were signed, the owner applied for a permit to build; that this permit was issued on May 8, 1941 as Permit No. 2333; that on the same day work was started and shortly thereafter, the contractors were advised by the Department of Housing and Buildings that the premises had been changed from an unrestricted district to a residential district and the permit issued on May 8, 1941 was revoked; that the superintendent erred in revoking this permit, inasmuch as the change of zone was not to become affected until May 17, 1941, and that during the period of May 8, 1941 to May 17, 1941, the contractors could have done a sufficient amount of work; that therefore, in view of the fact that the permit was revoked on May 8, 1941, and that the change of zone did not become effective until May 17, 1941, and also in view of the fact that all sub-contractors and monies having been spent pursuant to the approval of plans by the Department of Housing and Buildings, it is respectfully requested that this permit be reinstated; and

WHEREAS, the report of a Committee of the Board, recommending the denial of this appeal, reads as follows:

REPORT OF COMMITTEE.

July 15, 1942.

Re: Cal. No. 309-42-A

Premises 45-12 to 45-20 79th Street,
N. W. Cor. 46th St., Elmhurst, Queens.

The premises are a vacant lot, 100 feet by 160 feet, upon which it was proposed to erect a one-story garage. Title was taken to the premises on March 3, 1941. On March 6, 1941, plans were filed under New Building Application No. 849 of 1941. On April 2, 1941, plans were approved and application for permit was filed on April 24, 1941, and permit was issued on May 8, 1941.

On March 12, 1941, the City Planning Commission authorized a public hearing for April 16, 1941, on a proposal to change the use zoning of an area which included the plot in question from unrestricted to residence. The change was adopted on April 16th, and on April 17th notification of the resolution was filed with the Board of Estimate. No protest was filed and no action taken by the Board of Estimate to modify or disapprove the resolution and, accordingly, the change became effective within thirty days, namely, May 17, 1941.

The owners entered into construction contracts and on April 18, 1941, two days after the change of zone by the Planning Commission, entered into an agreement to lease the building upon completion.

Within the thirty-day period, namely, April 17th to May 17th, the lease agreement was entered into, application was made for permit, the permit was issued, but no work was done at the site except the partial construction of a contractor's shanty. On the same day, May 8, 1941, that the permit, No. 2333, was issued, it was revoked by the Borough Superintendent when he learned, apparently for the first time, of the change of use zoning by the Planning Commission on April 16th, effective May 17, 1941. He also revoked a permit issued May 7, 1941, for gasoline storage tanks.

This appeal filed by the architects for the owners is for reinstatement of the revoked permits. Prior to the filing of this appeal, an application for a zoning variance to permit the erection of the garage and the use of a portion of the premises for outdoor parking and storage

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was filed and hearing held (Cal. No. 532-41-BZ). At the request of the applicant, decision has been reserved pending the decision in this appeal for reinstatement of the permit.

The New York City Charter confers upon the City Planning Commission the authority to adopt a resolution to amend the Zoning Resolution. If no action is taken by the Board of Estimate within thirty days after notification from the Commission of its resolution, the proposed zoning change becomes effective. The Board of Estimate is without power to initiate amendments to the Zoning Resolution but is given a qualified sort of veto power to disapprove or amend proposed changes. That this power is exercised infrequently is indicated by the record, which shows that out of a total of 210 amendments adopted by the Commission and filed with the Board of Estimate, 29 required, under the Charter provisions, positive action. Of these 29 changes, 9 involved modification, 8 received the required unanimous vote, 11 failed to receive the unanimous vote and one (as of July 7, 1942) is still pending. Thus it will be seen that the Board of Estimate, either by inaction or action where required, has approved ninety per cent of the Commission's resolutions as to zoning changes. The public are entitled to rely upon the action of the Planning Commission and at least should be assured that during the thirty-day period the benefits of the proposed change will not be nullified by the issuance of permits. This principle has been recognized by the court (*Cheesebrough vs. Murdock* and *Tralow Realty Corporation vs. Board*). If the Borough Superintendent were permitted to issue new building permits during the thirty-day period between the adoption of a resolution by the Planning Commission and the date of its taking effect thirty days thereafter, that official could nullify the proposed new zoning by permitting the construction of buildings or establishment of uses in direct derogation of the pending restriction. The far-reaching effect of this subversive practice is self-evident.

In the opinion of the Committee, public interest and welfare and stability of property values require that a permit should not have been issued during the thirty-day period and the Borough Superintendent acted correctly in revoking the permit upon learning of the change of zone by the Planning Commission. The law provides a remedy by means of an application for a zoning variance.

The Committee recommends that the appeal be denied.

(Sgd.) HARRIS H. MURDOCK,
Chairman,

BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

JOHN E. GUNN,
Deputy Chief Fire Dep't.

Resolved, that the decision of the borough superintendent, on N. B. Applic. No. 849-41, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

34-42-A.

APPLICANT—Joseph Lau, for Fred Oddenheimer, owner.
SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—340 Greenwich street, west side, 70 ft. 9 in. north of Jay street (Block No. 182, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (334-42-A)

WHEREAS, Joseph Lau, for Fred Oddenheimer, owner, filed April 23, 1942, an appeal from a decision of the borough superintendent, premises 340 Greenwich street, west side, 70 ft. 9 in. north of Jay street (Block No. 182, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated March 27, 1942, re Alt. Applic. 37-42, reads:

"1. Comply with 2.4.1 B. Code for marquee. 2.4.1.-4.8g) B Code

a. Wood rafters & sheathing contrary to above sections.

b. Drain to sewer required.

Use of this building Viz. storage does not comply with approved use for marquee on buildings.

c. Drain to sewer."

and

WHEREAS, the applicant states the building is 5 stories (55 ft.) in height, 22 ft. 9 in. by 82 ft. in area at 1st floor, 22 ft. 9 in. by 45 ft. in area at typical floor; of Class 3 construction; located in an unrestricted use district; erected prior to 1885; and used—cellar, storage; 1st floor, store; 2nd to 5th floors, storage of butter and eggs, 4 persons per floor; and

WHEREAS, the applicant contends that the building is located in the market district; that the Transit Commission ordered the marquee disconnected from the elevated structure and this work was done, which resulted in a violation for working without plans; that the existing marquee is of wood structural beams and corrugated sheet metal roof supported on an iron angle bolted to beams which are tied to masonry wall by iron rods and anchors; that structural ties, supports and anchors shall be installed to the satisfaction of Dept. of Housing and Buildings, to make the marquee structurally safe; that the marquee extends across the entire width of the building and shall extend to within 2 feet of curb; that inasmuch as the owner is willing to make all the alterations to satisfy the Dept. of Housing and Buildings for the existing marquee which is essential to the operation of this business and which has existed since prior to 1920, it is contended that Section 2.4.1 does not apply to existing marquee and therefore it is respectfully requested the Board accept the existing wood marquee, as supports, rods and anchors of iron will be installed to make it structurally safe and drainage will be supplied to the sewer.

Resolved, that the decision of the borough superintendent on Alt. Applic. 37-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a term of two (2) years from the date of this action, *on condition* that the marquee shall be made structurally safe to the satisfaction of the borough superintendent; that no part of the marquee shall be nearer than 2 ft. to the curb and *granted* only so long as the first floor occupancy shall be for produce business.

532-42-A.

APPLICANT—Sam Bilgrei, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—3511 Peartree avenue, west side, 238.62 ft. south of Boston road (Block No. 5282, Lot No. 15), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis J. Opal.

For Administration: Dr. John Obermayer, Health Dep't; William Winder, Health Dep't.

ACTION OF BOARD—Appeal granted on condition.

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (532-42-A)

WHEREAS, Sam Bilgrei, owner, filed July 1, 1942, on appeal from an order of the fire commissioner, premises 3511 Peartree avenue west side, 238.62 ft. south of Boston road (Block No. 5282, Lot No. 15), Borough of The Bronx; and

WHEREAS, Order No. 31084-LC, issued by the Fire Commissioner June 1, 1942, reads:

"With reference to your application dated recently for a permit to kindle, build or maintain a fire at above location, it is regretted that this department is without power to grant such a permit for the reason:

That, in the judgment of this department, the issuance of such permit would not be conducive to public welfare. Moreover, were this department in the position to issue such permit, approval of the Department of Health would be required.

YOU ARE THEREFORE, HEREBY ADVISED TO:

1. Refrain from kindling, building or maintaining a fire on these premises."

WHEREAS, that applicant states that the plot is 75 ft. by 100 ft. in area; located in an unrestricted use district; occupied for burning automobile bodies; and

WHEREAS, the applicant contends that the burning of automobile bodies conducted on this property is for the purpose of obtaining metals and scrap to turn over to the War Production Board; that most of the property on the block involved belongs to the applicant; that no hazard is created by the burning of automobile bodies on this site, since the applicant is willing to carry on such burning under limitations and restrictions as may be ordered by the Board; that the applicant has been in business on this site for 10 years, during which time there has never been any fire other than the burning of automobile bodies.

Resolved, that the Order of the fire commissioner, No. 31084-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted* for the term of the present war emergency, to permit the maintenance of the bon fire as proposed, on the portion of the premises facing Peartree avenue and for a depth of approximately 50 feet and removed approximately 290 feet southerly from Boston Road, *on condition* that this portion of the plot shall be suitably fenced with a protective fencing to the satisfaction of the fire commissioner; that a yard hydrant fed from Peartree avenue shall be maintained on the premises reasonably adjacent and with hose of sufficient length to cover the entire area of the lot for employment in the event of danger; that this fire shall be maintained to the satisfaction of the fire commissioner; that the person in charge of the operation shall hold a certificate of fitness issued by the fire commissioner and that no fires shall be permitted unless adequate attendants are present for the operation of same.

553-42-A.

APPLICANT—Peter A. Strobel, for Defense Plant Corporation of U. S. A., owner (Republic Steel Corporation, agent for owner).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—160 Scott avenue, southeast corner of Scholes street (Block No. 2972, Lot Nos. 1 and 25), Borough of Brooklyn (under section 35, General City Law re bed of mapped street), (Seneca avenue).

APPEARANCES—

For Applicant: Herbert J. Jacobi and A. G. Mayger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (553-42-A)

WHEREAS, Peter A. Strobel, for Defense Plant Corporation of U. S. A., owner, Republic Steel Corporation, agent, filed on July 10, 1942, an application pursuant to Section 35 of the General City Law for the erection of a building in the bed of a mapped street (Seneca avenue) premises, 160 Scott avenue, southeast corner Scholes street (Block No. 2972, Lot Nos. 1 and 25), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated July 1, 1942, on N. B. Applic. 305-42 reads:

"1. Proposed building located in the bed of the mapped streets is contrary to Art. 3, Section 35 of the General City Law."

and

WHEREAS, the applicant states that the proposed building is one story (44 ft.) in height, 429.33 ft. by 190 ft. in area; of Class 3 and 4 construction; equipped with a sprinkler system; located in an unrestricted use district and occupied as a steel tube mill, 220 persons; and

WHEREAS, the applicant contends this application is filed in order to expedite the closing of and transfer of title of part of Seneca avenue shown on plans to be covered by proposed building, action on which has been referred to the City Planning Commission; that the proposed building will be constructed to produce needed war materials for the United States Government; and

WHEREAS, the applicant stated to the Board in a communication dated July 23, 1942 that the Defense Plant Corporation proposes to take condemnation proceedings in the Federal District Court for acquisition of the necessary land upon which to construct the proposed building.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 305-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the powers granted the Board under Section 35 of the General City Law to permit the erection of a building in the bed of a mapped street as proposed, *on condition* that it be subject to the vesting of title in the Defense Plant Corporation in condemnation proceedings and *on condition* that the building shall be erected in accordance with all the requirements therefor, as modified by the Board under Cal. No. 550-42-A, for continuation during the term of the emergency and for one (1) year thereafter; that the street shall be removed from the City Map within one (1) year from the date of this resolution.

554-42-S.

APPLICANT—Waldes Koh-I-Noor, Incorporated, owner.
SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent.

PREMISES AFFECTED—47-16 Austell place, southwest corner of 27th street (Ashburn street); (Block No. 98, Lot Nos. 42 and 30), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: B. J. Miller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (554-42-S)

WHEREAS, Waldes Koh-I-Noor, Inc., owner, filed on July 11, 1942 an application for variation of the requirements of the Labor Law affecting premises 47-16 Austell place,

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southwest corner of 27th street (Ashburn street); (Block No. 98, Lot Nos. 42 and 30, Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 11, 1942 (Cor. No. 559-42) reads:

"Replying to your letter of June 3rd in which you state that you have been ordered by the Plant Protection Section of the Chemical Warfare Service to lock your doors from the outside and provide them with panic bolts on the factory building wherein you are making war materials, would say that it is not within the province of this Department to permit or accept such a condition. We are guided by Section 272, Subdivision 3, of the New York State Labor Law, which specifies:—

'No door leading into or out of any factory or any floor thereof shall be locked, bolted, or fastened during working hours.'

If these doors are to be locked in non-working hours or when the building is vacant, we would have no objection, but if it is desired to keep the doors locked at all times then appeal would have to be made to the Board of Standards and Appeals for variation from the requirements of the Labor Law."

and

WHEREAS, the applicant states that the building is 4 stories (59 ft.) in height, 378 ft. by 80 ft. in area, of Class 1 construction, erected in 1916, located in an unrestricted use district and occupied: 1st floor, factory, shipping and receiving, 80 persons; 2nd floor, factory and office, 200 persons; 3rd floor, factory and stock room, 100 persons; 4th floor, factory, 300 persons; that the building is equipped with a sprinkler system, interior alarm system and fire drills are maintained; that there are nine stairways, 3 ft. 8 in. wide, of fireproof construction, leading from roof to grade; and

WHEREAS, the applicant contends that it is proposed to install panic bolts as shown on the diagrams filed with this application; that the installation of these panic bolts is necessary, as the plant is engaged in defense work; and

WHEREAS, the applicant has filed a copy of recommendation of the Plant Protection Office of the U. S. Army in favor of this application.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the borough superintendent, dated June 11, 1942, and that the application be and it hereby is granted on condition that panic bolts of an approved type shall be installed only on such doors as are indicated and marked "Approved panic bolts" on plans marked "Received July 11, 1942"; that all other exits and entrances, shown thereon shall remain open for exit and entrance, except that such opening shall be guarded; that this variance shall continue only during the term of the present war emergency and for one year thereafter; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

565-42-A.

APPLICANT—Samuel W. Ross, for Harlem Centre Corporation, owner (Small's Paradise of New York City, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2294-2296 Seventh avenue, southwest corner of West 135th street (Block No. 1940, Lot No. 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel W. Ross.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (565-42-A)

WHEREAS, Samuel W. Ross, for Harlem Centre Corporation, owner (Small's Paradise of New York City, lessee), filed on July 14, 1942, an appeal from a decision of the borough superintendent affecting premises 2294-2296 Seventh avenue, southwest corner West 135th street (Block No. 1940, Lot No. 35), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 9, 1942, on Misc. Sprinkler Applic. No. 931-42, as amended June 30, 1942, reads:

"2. The item suggested is not one approved by the Board of Standards and Appeals, hence cannot be accepted."

and

WHEREAS, said objection of the borough superintendent was issued on amendment filed June 30, 1942, requesting the acceptance of 3 in. by 3 in. by 4 in. siamese connection made by New York Brass Company, due to impossibility of obtaining regulation siamese connection at the present time because of war conditions; and

WHEREAS, the applicant states that the building is three stories (36 ft.) in height; 110.5 ft. by 125 ft. in area; of Class 3 construction; equipped with a sprinkler system and standpipe system; erected 1924; located in a business use, B district; and occupied—cellar, cabaret, bar and storage, 250 persons; first floor, bar, cabaret, and stores, 75 persons; second floor, offices, 25 persons; third floor, offices, 25 persons. Proposed to be occupied as at present; and

WHEREAS, Certificate of Occupancy No. 10110, issued October 19, 1925, permits the use of cellar as dance hall, 250 persons; first floor, stores, 75 persons; second floor, offices, 25 persons; third floor, offices, 25 persons; and

WHEREAS, the applicant contends that the siamese connection as shown on plans filed with the borough superintendent, cannot be obtained, due to present emergency conditions, and permission is requested to use 3 in. by 3 in. by 4 in. connection made by the New York Brass Foundry which can be obtained at the present time; that this siamese connection would be replaced by approved type siamese connection after the expiration of the war emergency period.

Resolved, that the decision of the borough superintendent on Misc. Sprinkler Applic. No. 931-42, Obj. No. 2, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the siamese connection proposed to be installed as made by the New York Brass Company, shall be replaced by a duly approved siamese connection as soon as the same are available after the present war emergency.

570-42-S.

APPLICANT—Oswald Fischer, for Maria Capasso, owner. SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—37-32 12th street, west side, 150.14 ft. north of 38th avenue (Block No. 361, Lot No. 32), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Oswald Fischer and A. Del Giorno.

For Administration: Edwin Ludwig, Health Dept. and Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (570-42-S)

WHEREAS, Oswald Fischer, for Maria Capasso, owner, filed on July 15, 1942, an application for variation of the requirements of the Labor Law as cited in a decision of the borough superintendent, affecting premises 37-32 12th street, west side, 150.14 ft. north of 38th avenue (Block No. 361, Lot No. 32), Long Island City, Borough of Queens; and

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WHEREAS, the decision of the borough superintendent dated June 17, 1942 on Misc. Applic. No. 5867-41, reads:

"11. The use of the building for bakery purpose is contrary to Art. 12, Sec. 338, Labor Law."

and

WHEREAS, the applicant states the building is 2 stories (25 ft. 6 in.) in height; 25 ft. by 66 ft. in area at first floor, 25 ft. by 45 ft. in area at typical floor; of Class 4 construction; erected 1905; located in an unrestricted use district and occupied—cellar, bakery, 2 persons; first floor, store, 3 persons; second floor, dwelling, 2 families; and

WHEREAS, the applicant contends that the building was erected in 1905 and that since that time a bakery has been established on the basement floor; that in 1913 the City raised the grade causing the basement floor to become cellar, thus creating a cellar bakery, which has now been in operation for the past 37 years; that the present owner purchased the premises in 1934 and the Department of Health granted Sanitary Certificate in the year 1938, but refused to continue the certificate, on the ground that the bakery is a cellar bakery and that no application was made under section 338, Subdivision 1 of the Labor Law for a Certificate of Exemption in 1913; that the owner is not in a position at this time to state whether or not such application was made, but in view of the continuous use of the premises as a bakery for 37 years, a variation is requested, to permit the continuance of cellar bakery use; that the clear height of cellar ceiling at front is 8 ft. 9 in. and at rear 8 ft. 3 in.; that the cellar ceiling is 1 ft. 3 in. above curb level and cellar floor is below rear yard 1 ft. 4 in. and is ventilated by means of windows.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Misc. Applic. No. 5867-41, Obj. No. 11, and that the application be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto in an existing building and that the cellar bakery shall be maintained to the satisfaction of the Department of Health.

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

142-38-SA.

APPLICANT—Red Comet, Incorporated, owner.

SUBJECT—Red Comet Automatic Fire Extinguisher, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

470-42-SA.

APPLICANT—Staten Island Chemical Corporation, owner.

SUBJECT—CEN-D-OUT (for extinguishing incendiary bombs), approval of.

APPEARANCES—

For Applicant: Cyril B. Joyner.

ACTION OF BOARD—Application withdrawn at request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

591-42-SA.

APPLICANT—Mary Caruso, owner.

SUBJECT—Celestial Fire Extinguishing Liquid, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

10-34-SA.

APPLICANT—Hupp Oil Burner Co., Inc., owner.

SUBJECT—Application reopened March 8, 1938—re amendment of resolution—re approval of additional Models Hupp Oil Burner A, AX, C, CO, E, EO and EP (previously approved re Hupp Oil Burner, Models H, U, P and PP, also under name of Major Oil Burner, Models H, U, P and PP).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (10-34-SA)

WHEREAS, Isaac Huppert, for the Hupp Oil Burner Company, owner, filed January 22, 1934, an application with the Board of Standards and Appeals for approval of the appliance known as the Hupp Oil Burner, Models H, U, P and PP; and

WHEREAS, this appliance was approved by the Board on September 29, 1936; and

WHEREAS, the applicant requested a reopening and an amendment of the resolution to include the approval of additional models; and

WHEREAS, the application was reopened by vote of the Board on March 8, 1938 and referred to the engineer of the Board for test and report; and

WHEREAS, the applicant failed to arrange for an inspection of these additional models, although duly notified to do so.

Resolved, that the request for the approval of the additional models of the Hupp Oil Burner, be and it hereby is *dismissed* for lack of prosecution.

823-40-SA.

APPLICANT—Morris Oboler, for Robert H. Jacobs and Morris Oboler, owners.

SUBJECT—Eagle Fire Alarm Control Panel, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (823-40-SA)

WHEREAS, Morris Oboler, for Robert H. Jacobs and Morris Oboler, owners, filed July 29, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Eagle Fire Alarm Control Panel; and

WHEREAS, the applicant has failed to arrange for an inspection of this appliance, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

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6-37-SA.

APPLICANT—Diesel Oil and Burner Corporation of New York, owner.

SUBJECT—Application reopened July 14, 1942 re amendment of resolution re Diesel American Oil Burner, Models DA-0, DA-2 and DA-3, approval of (Model DA-1 previously approved).

APPEARANCES—

For Applicant: Alvin Berger.

ACTION OF BOARD—Resolution amended in accordance with report of Committee on Tests.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (6-37-SA)

WHEREAS, the Diesel Oil and Burner Corp., of New York, owner, filed January 8, 1937, an application with the Board of Standards and Appeals for the approval of the appliance known as the Diesel-American Oil Burner, D-A-1; and

WHEREAS, this appliance was approved by the Board on February 9, 1937; and

WHEREAS, the applicant requested an amendment of the resolution to include the approval of Models DA-0, DA-2 and DA-3; and

WHEREAS, this application was reopened by vote of the Board on July 14, 1942 and referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 24, 1942.

Cal. No. 6-37-SA, Vol. II.

Subject: Amendment of resolution to include approval of the Diesel American Oil Burner, Models DA-0, DA-2 and DA-3.

Under date of February 8, 1937, the Board of Standards and Appeals approved the Diesel American Oil Burner Model DA-1 for domestic installations and fuel oil not heavier than No. 3, U. S. Department of Commerce Standards. Request has been made for approval of Models DA-0, DA-2 and DA-3. Application reopened by vote of the Board, July 14, 1942.

These models are similar in design and construction to Model DA-1 approved by the Board and differ only as to capacity. The housing is of gray cast iron, DA-0, 4½ inches outside diameter, DA-2 and DA-3 5½ inches. The base is of grey cast iron. The manifold is grey cast iron 4½ in. outside diameter for DA-0 and 5½ in. for DA-2 and DA-3, and 8 in. long. The motor is Ohio or Marattin 1/6 h.p. single phase 110 volt 60 cycles, 1750 r.p.m. The fan is a Torrington or Janulto drawn aluminum 4¾ x 27/8, with 28 blades for DA-0 and 32 blades for DA-2 and DA-3. The pump unit is a Tuthill Fuelstat 300 Lee, Teesdale Fuelstat Type S.C.C. U or Webster Fuelstat 1Z-B3125. A certified flexible coupling is used.

The ignitors are Dielectric, the capacity of the nozzle is 1.2 to 2 gallons per hour for DA-0 3 to 5 gallons per hour for DA-2 and 5 to 9 gallons per hour for DA-3.

The controls consist of Minneapolis-Honeywell Protector Relay R117A, Thermostat T11, Pressuretrol P404 Aquastat L170. The models were inspected at 100-20 New York boulevard, Queens. The CO2 in the flue gas was maintained at 10%.

An examination of details of the assembly indicate that replacement parts are interchangeable and the burners, function properly within their operating range. The applicant's attention is called to Section 4.1 requiring that these burners have assembly of approved parts and the manufacturers thereof shall apply to the Board for approval.

On the basis of this inspection and test, it is recommended that the resolution adopted by the Board February 8, 1937, be amended to include the approval of the Diesel American Oil Burner Model DA-0, DA-2 and DA-3 for domestic and commercial installations with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards when installed in accordance with this report and the Oil Burner Rules of the Board of Standards and Appeals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of these additional Models.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 9, 1937 and *approve* the appliance known as the Diesel American Oil Burner, Models DA-1, DA-0, DA-2 and DA-3, *on condition* that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

695-39-SM.

APPLICANT—Nazareth Cement Company, owner.

SUBJECT—Application reopened December 16, 1941 re amendment of resolution—re Nazareth Dark Portland Cement, approval of (previously approved re Nazareth Portland Cement and Nazco High-Early-Strength Portland Cement).

APPEARANCES—

For Applicant: J. Clifford Evans.

ACTION OF BOARD—Resolution amended, in accordance with report of Committee on Tests.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (695-39-SM)

WHEREAS, The Nazareth Cement Company, owner, filed May 25, 1939, an application with the Board of Standards and Appeals for approval of the material, known as Nazareth Portland Cement and Nazco High-early-strength Portland Cement; and

WHEREAS, this material was approved by the Board on July 18, 1939; and

WHEREAS, the applicant requested an amendment of the resolution to include the approval of the Nazareth Dark Portland Cement; and

WHEREAS, this application was reopened by vote of the Board on December 16, 1941 and referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 25, 1942.

Cal. No. 695-39-SM.

Subject: Nazareth Dark Portland Cement, Nazareth Portland Cement, Nazco High Early Strength Portland Cement, Approval of

Upon application of the Nazareth Cement Company, dated December 4, 1941, the Board on December 16, 1941, reopened this application to consider the application for the approval of Nazareth Dark Portland Cement.

Cement rock is quarried on the company property in the vicinity of the plant by first drilling twelve to fifteen

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holes the depth of the face of the quarry which is 100 to 120 ft. Chemical tests are made of these borings. The holes which are 20 ft. back from the face of the quarry are loaded with dynamite and blasted. The rock is hauled from the quarry to the crusher building in 11 ton steel cars by means of a gasoline locomotive. At the crusher building the cement rock goes through an Allis Chalmers Roll Crusher and then through a Pennsylvania Hammer Mill whence it is conveyed to the rock storage. These operations reduce the rock to two inches or less in size. From the rock storage the material is fed to two Rotary Dryers. After leaving the dryers—iron oxide and silica are added in the approximate proportions of 2½ parts of iron oxide and 4 parts of silica size by two Bradley Mills and still further by means of 8 tube mills of which not more than 5 are in use at one time. The discharge from the tube mills goes to 4 air separators. The fines from the separators are conveyed to one of twelve blending bins. The tails or coarse material from the separators are returned to the tube mills to be ground over again.

The kiln feed is prepared by drawing the ground raw material from three to six blending bins at a time whence it is conveyed to the kilns where it is burned into clinker. The clinker is discharged from the kilns onto a bucket conveyer whence it is conveyed to the clinker storage. From the clinker storage the clinker is

taken by conveyors to a Richardson Scale where the required amount of gypsum is added. The clinker is reduced to powder by means of first two Bradley Mills and then eight tube mills. From the tube mills the cement is conveyed by Fuller Kinyon pumps into the stock houses.

The controls of the manufacturing process are as follows:

Samples are taken of the raw material feed into the blending bins every two hours and the calcium carbonate content of the material determined. Likewise samples are taken every two hours of the kiln feed and the calcium carbonate content determined. Composites are made of bi-hourly samples for complete chemical analysis. Samples are taken of the ground cement after discharge from tube mills every two hours and fineness, setting time and sulphur trioxide determined. Composite samples are made from the bi-hourly samples upon which complete chemical and physical tests are made. The samples are taken by laboratory representatives and any changes required as shown by these analyses are made in the manufacturing process. Samples were taken of Nazareth Dark Cement at the mill located at Nazareth, Pa., and tested in the presence of representatives of the Committee on Tests with the following results:

CHEMICAL ANALYSIS

	As Tested	A.S.T.M. C-9-38	A.S.T.M. C150-41-Type 11	Fed. Spec. SS-C-191-A	Fed. Spec. SS-C-206-A
SiO	21.5%		Min. 21.0%		Min. 21.0%
Al ₂ O ₃	4.6		Max. 6.0	Max. 7.50%	Max. 6.0
Fe ₂ O ₃	4.6		Max. 6.0	Max. 6.0	Max. 6.0
CaO	62.6				
MgO	3.6	Max. 5.0%	Max. 5.0	Max. 5.0	Max. 5.0
SO ₃	1.5	Max. 2.0	Max. 2.0	Max. 2.0	Max. 2.0
Ig. Loss	.9	Max. 4.0	Max. 3.0	Max. 3.0	Max. 3.0
Ins. Res.	.17	Max. 0.85	Max. 0.75	Max. 0.75	Max. 0.75
3 CaO SiO ₂	49.		Max. 50.		
2 CaO SiO ₂	25.		Max. 8.		Max. 8.
3 CaO AL ₂ O ₃	4.				
4 CaO AL ₂ O ₃ Fe ₂ O ₃	14.				
Free Lime	.8				
	AL ₂ O ₃ 4.6				
Ratio	Fe ₂ O ₃ 4.6	— = 1	.7 to 2.0%		.7 to 2.0%

PHYSICAL TESTS

	As Tested	A.S.T.M. C-9-38	A.S.T.M. C150-41-Type 11	Fed. Spec. SS-C-191-A	Fed. Spec. SS-C-206-A
TENSILE STRENGTH:					
1.3 Standard Mortar ave. of 6 Briquettes					
lbs. p.s.i.					
Age 3 days	314		Min. 125		Min. 125
Age 7 days	397	Min. 275	Min. 250	Min. 275	Min. 250
Age 28 days	496	Min. 350	Min. 325	Min. 350	Min. 325
COMPRESSIVE STRENGTH:					
Plastic Mortar—A.S.T.M. Method—ave. of 6 cubes—lbs. p.s.i.					
Age 3 days	1470		Min. 750		
Age 7 days	2293		Min. 1500		
Age 28 days	3829		Min. 3000		
Plastic Mortar Cubes Fed. Spec. SS-C-158					
ave. of six cubes					
Age 3 days	1403				Min. 750
Age 7 days	2116			Min. 1800	Min. 1500
Age 28 days	3721			Min. 3000	Min. 2500
(Normal Consistency 22.5%)					
Autoclave Expansion	.070%		Max. .50%		Max. .50%
FINENESS:					
Surface Area, sq. cm/gm.	1850		Min. 1700	Min. 1500	Min. 1800
% Passing 325 Mesh	90.2%				
SETTING TIME:					
Initial	3 hr. 0 min.	Min. 45 Min.	Min. 60 Min.	Min. 60 Min.	Min. 60 Min.
Final	5 hr. 10 min.	Max. 10 hrs.	Max. 10 hrs.	Max. 10 hrs.	Max. 10 hrs.

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This cement is shipped in cloth and paper bags and in bulk.

It is accordingly recommended that Nazareth Dark Portland Cement be approved for use in New York City pursuant to C26-312.0, Subdivision c, Para. 1, of the Building Code as amended by Local Law No. 26, effective March 29, 1940, on condition that certified mill reports signed by the applicant's Chief Chemist be filed with the Board, and that all bags be stamped, marked or labeled "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 695-39-SM," and when shipped in bulk its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended amendment of the resolution of July 18, 1939 and the approval of the Nazareth Dark Portland Cement.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of July 18, 1939 and approve the material known as the Nazareth Dark Portland Cement, on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

1407-39-SM.

APPLICANT—Rudolph P. Miller, for United Floors, Inc., owner.

SUBJECT—United Floor Construction, approval of.

APPEARANCES—

For Applicant: Rudolph P. Miller and John Barbato.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1407-39-SM)

WHEREAS, Rudolph P. Miller, for United Floors, Inc., owner, filed on November 16, 1939, an application with the Board of Standards and Appeals for approval of the material known as the United Floor Construction; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 17, 1942.

Re: Cal. 1407-39-SM

Subject: United Floor Construction, Approval of

The United Floors Inc. of New York City filed November 16, 1939 an application with the Board of Standards and Appeals for approval of United Floor Construction for use in New York City in Class I and Class II construction with Average A and Average B concrete and with controlled concrete pursuant to Section C26-476.0 and C26-622.0 of the Administrative Code.

The construction for which approval is sought is known as United Floor Construction. It is a long-span reinforced concrete one-way ribbed floor construction either supported at the ends on brick walls or other suitable supports, or installed between steel beams or girders, encased and fire-protected as required by law for the conditions under which it is to be used.

The construction is shown in detail in Figure 1. It is designed in compliance with the provisions of Sub-article 5, Reinforced Concrete Construction Sections C26-468.0 (8.5.1) through C26-509.0 (8.5.41) of the

Administrative Building Code; and the safe carrying capacity is determined by the application of accepted engineering formulae (Section 8.5.3).

As shown in Figure 1, the construction consists of a series of reinforced concrete "T" beams spaced thirty

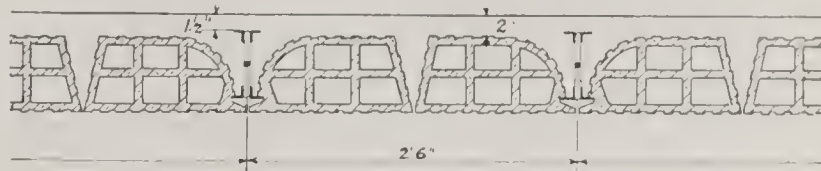


Fig. 1

inches on centers with burnt clay tile as fillers, thus providing a flat ceiling and producing a type of construction recognized and provided for in Section C26-476.0 (8.5.8) as reinforced concrete construction. The request for approval of this construction is limited to spans and loading, which do not require greater reinforcement than these angles and rods will permit.

The reinforcement for the "T" beams as proposed to be used by the applicant, consists of two $1\frac{1}{4}$ " x $1\frac{1}{4}$ " structural steel angles varying in thickness according to the sectional area required to secure the desired load carrying strength of floor. To this reinforcement, between the vertical legs of the angles, a $\frac{5}{8}$ " round rod is welded at intervals varying from about five to eighteen inches according to the depth of the floor. The rod is continuous for the entire span of the construction, but bent in a way to take up the vertical shearing stresses in the concrete (Fig. 1).

For the purposes of erection two angles, bars or other shapes are welded to the upper ends of the web reinforcement. While this assembly of reinforcement, because of the form it assumes, contributes to the strength of the floor construction, only the lower reinforcement and the diagonal shear members are utilized in determining the carrying capacity of the floor. The primary purposes of this truss-like form of the reinforcement is to serve as a support for the form work during construction, assisted, if need be, on the longer spans by temporary shores underneath. A very important and highly desirable service performed by this rigidly welded assembly of the reinforcement is to assure its accurate position in the floor construction and to safeguard it against displacement during the placing of the concrete. If the design of the construction warrants the upper horizontal steel can be utilized as compression reinforcement.

The concrete used in the construction of the floor will conform to the requirements of the building code. Ordinarily "average concrete," either Class A or Class B, is to be used, although in special circumstances, "controlled concrete" may be used subject to the conditions and restrictions fixed by the code. For the coarse aggregate only approved materials Section C26-315.0 (7.1.2.1) that will pass through a three-quarter inch screen will be used. The consistency will be such that the forms will be completely filled. In addition, the concrete will be either mechanically vibrated or manually puddled as it is being placed.

In response to the question whether the bond between concrete and steel reinforcement of the type to be used, namely shapes with flat surfaces is as strong and effective as that between concrete and the usual round bars a series of tests was undertaken at the Engineering Materials Laboratories of Columbia University, the results of which are as follows:

BOND TESTS

Material:—36" lengths of $\frac{7}{8}$ " dia. plain and deformed round reinforcing bars, single $1\frac{1}{4}$ " x $1\frac{1}{4}$ " x $\frac{1}{4}$ " steel angles and double $1\frac{1}{4}$ " x $1\frac{1}{4}$ " x $\frac{1}{4}$ " steel angles spaced $\frac{5}{8}$ ". Single angles provided with $\frac{3}{4}$ " round bar welded to one end for gripping. Double angles

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provided with $\frac{5}{8}$ " x $3\frac{1}{4}$ " flat plate welded between angles at one end for gripping. Double angles connected near other end by welded connection of continuous web bar at 8" centers as in truss construction. Web members cut off, only welded part of web bar remaining between angle legs. Three specimens of each type were tested.

Method of Test:— $\frac{7}{8}$ " plain and deformed round bars and single angles were embedded in 8" x 8" concrete cylinders with about 1" projecting on one end. Double angles were embedded in 11" x 11" x 8" concrete blocks so as to include one panel point weld located about $1\frac{1}{2}$ " from top of embedded length. Concrete reinforced with steel spiral. Blocks provided with outside clamps to resist splitting action. Specimens supported on upper cross head of testing machine and load applied to free ends of bars. First slip indicated by Ames dial recording movement of protruding end of bar. Load at .0001" movement of unloaded end of bar recorded as "first slip" load.

RESULTS OF TESTS:

Concrete for Bond Specimens

Cast—Jan. 26, 1940

Tested—Jan. 29, 1940

Mix (Dry & Loose Volumes) 1:1.67:3.50

Cement:—Incor High-Early Strength

Aggregate—Commercial Sand and $\frac{3}{4}$ " Gravel

Mixing Water:—6.36 gals/sack

Slump— $3\frac{1}{2}$ to 4"

Compression Strength (6" x 12" cylinders)—Age 3 Days

Batch 1a—3670 p.s.i.

b—4060 p.s.i.

c—4320 p.s.i.

Batch 2a—3680 p.s.i.

b—3720 p.s.i.

c—4080 p.s.i.

Average —3922 p.s.i.

SUMMARY OF RESULTS OF BOND TESTS

Type	Test No.	Specimen	Area, Sq. In.	Perimeter Ins.	Bond Area, Sq. Ins.	Total Load, lbs.		Bond Stress, p.s.i.	
						First Slip	Max.	First Slip	Max.
$\frac{7}{8}$ " plain round	68279	1a	.603	2.75	22.6	6000	14400	266	637
	68280	1b	.603	2.75	22.4	8200	17420	366	779
	68281	2	.603	2.75	22.6	7400	14300	327	633
Average—								320	683
$\frac{7}{8}$ " def. Round	68282	1a	.603	2.75*	22.4	9000	20200**	401	901
	68283	1b	.603	2.75	22.4	12960	21460**	578	958
	68284	2	.603	2.75	22.3	7800	20220**	350	908
Average—								443	923
Single $1\frac{1}{4}$ "x $1\frac{1}{4}$ "x- $\frac{1}{4}$ " Angle	68285	1a	.528	4.95	40.4	13500	19180	334	475
	68286	1b	.528	4.95	40.1	13420	20400	335	508
	68287	2	.528	4.95	40.4	12880	19920	319	493
Average—								329	492
Double $1\frac{1}{4}$ "x $1\frac{1}{4}$ "x- $\frac{1}{4}$ " Angle	68288	1a	1.056	9.90	79.7	25480	39940**	320	501
	68289	1b	1.056	9.90	79.7	24410	39250**	306	493
	68290	2	1.056	9.90	79.7	25000	39040**	314	490
Average—								313	495

* Nominal, taken same as plain round.

** Concrete block cracked at max. load.

1a, 1b and 2 indicate 2 batches of concrete for all specimens.

NOTE: Perimeter of double angles taken as twice that of single angles although at failure a slug of concrete remained between angles under weld.

Disregarding the tests on deformed bars as these are not under consideration, the tests show that the first slip (a movement of 0.0001 in.), which is the decisive point at which to make comparison of the respective bond strengths, occurred when the bond stress between concrete and steel had reached—

320 pounds per square inch for the plain bars

329 " " " " " " single angle, and

313 " " " " " " double angle,

averaging 321 pounds for the nine individual tests, and indicating substantially uniform results. In other words, the disturbance of the bond in the three types of reinforcement begins at the same bond stress per square inch.

The concrete in which the reinforcement was imbedded for the tests developed, at the time of the tests and at the same age of concrete, a compressive strength of 3922 pounds per square inch. The maximum allowable working stress (Section 7.4.3.2.2, as amended August 21, 1939) for bond strength of this concrete is 140 pounds per sq. in., giving a ratio of 2.2. between first slip and working stress.

The most recent investigation of bond strength, made by Professor H. J. Gilkey at the University of Iowa (reported in the Journal of the American Concrete

Institute for February, 1939) shows that for concrete having a strength above 2000 pounds per square inch at 28 days "the increase of bond resistance with added strength is slight," and that "the evidence seems to justify an unqualified statement that, for current concrete mixtures, bond resistance does not increase in proportion to the strength of the concrete." As the working stresses for Class A and Class B ordinary concrete are limited to 80 and 100 pounds respectively, the factor of safety is higher than when a "controlled" concrete is used.

As offsetting any loss of efficiency in bond in the case of angle reinforcement because of higher ultimate bond strength when round bars are used, it is pointed out that the bond area in the case of angles is about double that developed by round bars of equivalent cross-sectional area, that is of equivalent tensional strength. The relationship in case of materials used in the tests is as follows:

Material	Cross-section sq. in.	Perimeter in	Ratio of bond area in 1" length to cross-section
$\frac{7}{8}$ " plain round	0.603	2.75	4.565
$1\frac{1}{4}$ " x $1\frac{1}{4}$ " x $\frac{1}{4}$ " angle	0.528	4.95	9.375

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that is, in using angles instead of round bars the bond area for each unit section area of steel is slightly more than doubled.

The burnt clay tile fillers used in this construction, according to tests made at the Engineering Materials Laboratories of Columbia University have an average

ultimate compressive strength of 6618 lbs. per sq. in. on the net section when tested with the cells vertical. Six reports, covering eighteen individual tests, have been placed on file with the Board of Standards and Appeals in connection with Cal. No. 40-40-SM. One of these six reports follows:

Material	Clay Tile-16 x 8 x 16-8 cell					
Source	National Fireproofing Co.					
Laboratory Test Number	67296	67297	67298	67299	67300	67301
Mark on Test-Piece	1	2	3	4	5	6
Shape of Test-Piece	J.B.B.	J.B.B.	T.)'H.	J.B.B.	J.B.B.	J.B.B.
Weight of Specimen, lbs. oz.	51.8	52.3	52.4	52.1	53.8	53.7
How Tested		(Cells Vertical)			(Cells Horizontal)	
Bedded with			Cement	Mortar		
Length, in inches	16.08	16.07	16.10	16.15	16.15	16.28
Width, in inches	7.90	7.90	7.80	7.75	8.00	8.05
Height, in inches	16.15	16.07	16.06	16.06	16.20	16.10
Gross Area, in sq. inches	127.03	126.95	125.58	125.16	129.20	131.05
Net Area, in sq. inches	43.55	43.54	43.32	24.87	24.87	25.07
Maximum Load, in pounds	230000	378000	313000	105000	69000	82500
Ultimate Strength, lbs. per sq. in., Gross	1810	2980	2490	840	533	630
Ultimate Strength, lbs. per sq. in., Net	5280	8680	7220	4220	2770	3300

As the strength of these fillers, even in the case of the lowest, 5275 pounds, is in excess of the maximum compressive strength of the concrete, 3500 pounds, permitted for purposes of design (Section 7.4.3.2.2, as amended) "the shells in contact with the concrete may be included in the resisting sections" (Section 8.5.8, paragraph "b").

These fillers are so designed that the concrete will flow freely, especially when aided by agitation as proposed between and around the reinforcement, there being a sufficient air space between the bottoms of the clay tile to allow the air to escape and not cause voids.

The reinforcement can be connected to structural steel in several ways, including the possibility of designing the slabs as continuous by welding plates to the top angles and web reinforcement and the top flange of the supporting steel beam, extending them to a point where they will no longer be needed to develop the negative moment. The continuity could also be secured by reinforcement properly located in the top of the stem of the "T" beam without welding.

An inspection of an installation of United Floor Construction was made by the Committee on Tests of the Board at Central Islip, New York, of the floors of a three story building (Employees Accommodation Building No. 93) of the Central Islip State Hospital.

RECOMMENDATION.

On the basis of the foregoing data the Committee recommends the approval of United Floor Construction for use in New York City under the provisions of C26-468.0 (8.5.1) through C26-509 (8.5.41) Administrative Code.

It is further recommended that the concrete be of such consistency that aided by agitation it will flow into the triangular space between the reinforcement and the clay tile filter, that provision be made during construction to provide temporary supports to prevent sagging of reinforcement; that adequate bearing be provided; that only Portland cement and aggregates approved for use in New York City be used in the concrete; that forms shall not be disturbed until the concrete has hardened adequately, nor shall the permanent shores be removed until the structure has developed its full design strength and all construction loads removed; that the Clay tile filler shall be of approved type and shall conform to C26-357.0 (7.4.2.3) and to C26-476.0,b (8.5.8.b) Administrative Building Code; that all welding shall comply with the Rules of the Board; that all plans for this type of floor construction submitted to the Department of Housing and Buildings shall be stamped, "Approved by the Board of Standards and

Appeals as a type of floor construction under Cal. No. 1407-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the United Floor Construction, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

250-40-SM.

APPLICANT—National Carbide Corporation, owner.

SUBJECT—Application reopened June 2, 1942, re National Carbide Floodlight, Models NC-100 and NC-200, Handy Light, Model NC-199 and Police Emergency Model NC-299 (previously approved re National Carbide, V-G Light).

APPEARANCES—

For Applicant: B. M. Gilmore.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (250-40-SM)—

WHEREAS, National Carbide Corporation, owner, filed March 6, 1940, an application with the Board of Standards and Appeals for approval of the material known as the National Carbide V-G Light; and

WHEREAS, this material was approved by the Board on April 23, 1940; and

WHEREAS, the applicant requested an amendment of the resolution to include the approval of additional models; and

WHEREAS, this application was reopened by vote of the Board on June 2, 1942, and referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

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REPORT OF COMMITTEE ON TESTS.

July 13, 1942.

Cal. No. 250-40-SM.

Subject: National Carbide Floodlights, Models NC-100 and NC-200, Handy Light, NC-199 and Police Emergency NC-299. Approval of (amendment to resolution).

The Board of Standards and Appeals under date of April 23, 1940 approved the National Carbide V-G light under certain conditions and the applicant requested a reopening of the application to include the approval of the National Carbide Floodlights, Models NC-100; NC-200; Handy Light, NC-199 and Police Emergency NC-299 under the provisions of C19-92.0 of the Administrative Code.

This application was reopened and referred to the Committee on Tests by vote of the Board, June 2, 1942.

This floodlight apparatus consists of a calcium carbide hopper, a water compartment and a pipe leading from the gas chamber to a burner where the acetylene gas is burned, giving off light.

The water chambers are constructed from pressed steel drawn from open-hearth box annealed deep drawing stock tested to withstand a pressure of 25 lbs. p.s.i. The carbide hopper is made from castings and the cylinder from pyrex glass and is protected by a wire metal guard. The only opening in the water or generating chamber is sealed by a special rubber gasket affording a gas-tight joint. Lights are designed with the greater part of their weight resting directly on the ground, making it difficult to over-turn them.

The carbide is kept in separate upper chamber and automatically fed into the water in the lower chamber by a feed plunger as required to maintain a steady flame.

These lights are self-contained units, and are gas-tight, and water-tight. They are so designed that the carbide and water will not come in contact with each other if over-turned.

In operation a small quantity of carbide is dropped into the water to maintain a steady even flame of constant, clear bright light, free from vapor.

The release of a Control Handle allows a pressure spring to act on a diaphragm, which in turn, carries the feed plunger down to the carbide feeding position. Gas pressure then acts against the diaphragm causing the feed to close off when sufficient gas is made to supply the burner. The reciprocating feeding action then becomes entirely automatic and gas is only made in quantity required for burner supply. When needle valve is closed and the flame extinguished while the generator is in operation, the generation of gas immediately ceases, even if the control handle is left in the operating position.

The gas is screened through a glass wool filter designed to take out dust particles. Replacements can be made by unscrewing the standpipe to the burner. The normal working pressure is approximately two pounds.

The floodlights NC-100 and NC-200 differ only in that NC-200 has two reflectors and burns for $\frac{1}{2}$ the period of times that the NC-100 does. NC-100 burns 12 hours on each charge of 7 lbs. of carbide. NC-100 has 8,000 candle power and NC-200 16,000 candle power.

Handylight NC-199 is similarly constructed with a smaller reflector and uses $1\frac{3}{4}$ lbs. of carbide and 2 gallons of water and burns with a 1500 candle power light for about 6 hours. Police Emergency NC-299 has the same reflector as the NC-100 but uses $1\frac{3}{4}$ lbs. of carbide to 2 gallons of water and will burn for approximately $3\frac{1}{2}$ hours with 8,000 candle power light.

The Committee on Tests and the representative of the Division of Combustibles of the Fire Department examined and tested the NC-100 and examined other models at 60 East 42nd Street. Present at the test were representatives of the manufacturer.

The lights were found to operate satisfactorily under test.

Recommendation.

On the basis of the inspection and test, the Committee recommends that the approval of the resolution adopted by the Board, April 23, 1940, is amended to include the National Carbide Floodlights Models NC-100, NC-200, Handylight, NC-199 and Police Emergency NC-299 for use in New York City provided the material is manufactured, installed and operated in accordance with this report and that this material shall not be installed indoors, except in a location approved by the Fire Commissioner and provided the light has a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 250-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of an amendment of the resolution of April 23, 1940, approving these additional models.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of April 23, 1940, and approve the material known as the National Carbide Floodlights, Models NC-100, NC-200, Handylight, NC-199 and Police Emergency NC-299, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

620-40-SM.

APPLICANT — Owens-Corning Fiberglas Corporation, owner.

SUBJECT—"Fiberglas" Thermal and Sound Insulation, approval of.

APPEARANCES—

For Applicant: William Dais.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative: 4
0

THE RESOLUTION (620-40-SM)

WHEREAS, the Owens-Corning Fiberglas Corporation, owner, filed on June 10, 1940, an application with the Board of Standards and Appeals for approval of the material known as "Fiberglas" Thermal and Sound Insulation; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 2, 1942.

Re: Cal. No. 620-40-SM

Subject: Fiberglas Thermal and Sound Insulation, approval.

The Owens-Corning Fiberglas Corporation of Toledo, Ohio, filed on June 10, 1940, an application with the Board of Standards and Appeals for approval under the requirements of Section 26-178.0,b of its material known as Fiberglas Thermal and Sound Insulation for use under Sections C26-692.0, C26-693.0,d, C26-711.0,f, i6, i7, i8, C26-712.0, C26-713.0, C26-714.0, C26-1271.0, C26-1274.0, and C26-1343.0 of the Administrative Code.

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Fiberglas Thermal and Sound Insulation materials are manufactured by the applicant at their factory located at Newark, Ohio. Fiberglas is a light, fluffy, incombustible material made from blown glass containing silica, soda ash, limestone and other ingredients resulting in a flexible, long-fibred material having chemical and physical stability. It is manufactured in a density of 1½ pounds per cubic foot, which is increased by compression to the density required for its various uses, in the following types:

(1) Fiberglas Metal Mesh Blankets—flexible insulating blankets with metal on one or both sides, for insulating equipment in temperature ranges from 100 to 1000 degrees F. The lighter density blankets are also used for sound absorption and noise reduction work. These blankets can be made in any width, length or thickness.

(2) Fiberglas Turbine Insulation Blankets—a filling of Fiberglas wool enclosed in a pillow-shaped envelope of Fiberglas cloth, sewn at the edges and tufted on 4" centers with Fiberglas yarn. They are manufactured to the required size, shape and thickness for each specific job.

(3) Fiberglas Sewn Blankets—several layers of Fiberglas wool assembled and compressed between the covering materials before stitching to provide the required density at the specified thickness; made up to the customers' specifications as to size, thickness, density, stitching, covering materials, etc.

(4) Fiberglas Insulating Wool—Types TW-C and TW-F in bats and rolls used as general purpose thermal insulation products, where maximum temperatures may reach 900 degrees F. and mean temperatures run in excess of 500 degrees F. Used also for acoustical purposes in thicknesses and densities in accordance with the specifications of the designer.

(5) Fiberglas Semi-Rigid Insulation—Type TW-F in bats and panels—used for heat and sound insulation and applied in the form of semi-rigid light-weight board which can be cut to insulate odd-shaped spaces and areas.

(6) Fiberglas Insulating Block—a rigid material used where the temperatures encountered range from atmospheric to a maximum of 600° F.

(7) Fiberglas Pipe Insulation—Molded Type—made of Fiberglas insulating wool molded to shape and bonded with an organic, thermo-setting binder, producing a hard, rigid and board-like material of light brown color; intended for use in underground conduits.

(8) Fiberglas Pipe Insulation—Blanket Type—consists of a blanket similar in construction to the above-described Metal Mesh Blanket for use on large diameter pipes.

(9) Fiberglas Insulating Cement—composed of Fiberglas Nodulated Wool of light density combined with plastic forming materials.

(10) Fiberglas Nodulated Wool—a pure Fiberglas thermal insulation wool chopped into relatively small lengths, coated with a lubricant and formed into nodules or small pellets. Used at a density of approximately 7 pounds per sq. ft.

(11) Fiberglas Bulk Insulating Wool—used when preferred by some customers.

On January 19, 1939, the Board under Calendar No. 12-39-SM approved Fiberglas (under the name Red Top Insulating Wool) as incombustible fire-retarding material for use under certain conditions. The Report of the Committee on Tests indicated that the material is moisture-proof and vermin-proof, that the conductivity B.T.U. per hour, per sq. ft. per degree per 1 inch thick of Fiberglas with a density of 1.5 pounds per cu. ft. averages 0.255. Data submitted by the applicant as to the sound insulation qualities of Fiberglas gives the following coefficients of absorptions on the following types at the single frequency 512 cycles: (Report of Acoustical Materials Association, Bulletin No. VII)

Semi-Rigid Panels and Boards

Type TW-PF—

2.5D 1" thick, .23 lbs. per sq. ft. .65 (Coefficient)

Type TW-PF—

4D 1" thick, .34 lbs. per sq. ft. .75

Type TW-PF

4D 2" thick, .71 lbs. per sq. ft. .99

Type TW-PF

6D 1" thick, .47 lbs. per sq. ft. .86

Type TW-PF

12D 1" thick, 1.04 lbs. per sq. ft. .79

Metal Mesh Blankets (Style HO)

Type TW-G—

2D 1" thick, .42 lbs. per sq. ft. .57

Type TW-G—

2D 2" thick, .64 lbs. per sq. ft. .84

Type TW-G—

4D 1" thick, .58 lbs. per sq. ft. .81

Type TW-G—

4D 2" thick, .97 lbs. per sq. ft. .99

Type TW-G

6D 1" thick, .75 lbs. per sq. ft. .89

Type TW-G

6D 2" thick, 1.31 lbs. per sq. ft. .99

Sewn Blankets—Muslin Faced

Type TW-G—

4D 2" thick, .69 lbs. per sq. ft. .99

The physical properties of Fiberglas Insulating Cement are as follows:

Density, lbs. per cu. ft., dry powder 14.77

Density, lbs. per cu. ft. wet 98.6

Density, lbs. per cu. ft. dry as applied 23.6

Approx. tensile strength lbs. 105 per sq. in.

Drying time, hours 48 at 75° F.

Lbs. water per lb. dry material (normal consistency) 2.29

Net Shrinkage, cu. in. per cu. ft. .. 210.1

Shrinkage, % 12.3

Approx. thermal conductivity, Btu/sq. ft. in. thick/hour/degree F. diff. 0.9

Recommendation.

On the basis of the foregoing data the Committee on Tests recommends the approval under sections C26-178.0b and C26-191.0 of the Administrative Code of Fiberglas Thermal and Sound Insulation as incombustible insulating material for use in New York City under the pertinent provisions of the Administrative Code, in thicknesses as specified therein, in densities of 4.5 pounds per cu. ft. for temperatures ranging up to 600 degrees F. and of 6 pounds per cu. ft. for temperatures between 600 and 1000 degrees F. When used as thermal insulation, all combustible material used as covering shall be flameproofed in accordance with the Board's "Rules for Tests of Fire-resistive, Flameproof Materials, etc." Installations of Fiberglas Thermal and Sound Insulation shall, in all other respects, be made in accordance with the best practice. All plans proposing the use of this material shall indicate that Fiberglas Thermal and Sound Insulation has been "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 620-40-SM" and each package of these materials shall be similarly identified.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

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and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as "Fiberglas" Thermal and Sound Insulation, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

887-41-SM.

APPLICANT—Norman Boosey Manufacturing Company, owner.

SUBJECT—Boosey No. 109 Drainage Control Valve, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material disapproved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (887-41-SM)

WHEREAS, the Norman Boosey Mfg. Co., owner, filed on October 16, 1941, an application with the Board of Standards and Appeals for approval of the material known as the Boosey No. 109 Drainage Control Valve; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 17, 1942.

Cal. No. 887-41-SM.

Subject: Boosey No. 109 Drainage Control Valve. Approval of.

The Norman Boosey Manufacturing Company of Detroit, Michigan, filed October 16, 1941, an application with the Board of Standards and Appeals for approval of the Boosey No. 109 Drainage Control Valve under the provisions of C26-1259.0 (14.5.5) Administrative Code.

This valve combines the features of an automatic swing valve and a manually operated gate valve in one unit. The valve body is cast iron with a removable top set flush with the floor. The spade shaped gate valve with non-rising stem together with its seat are of bronze. The balanced swing check valve has a revolving disc and an adjustable fulcrum which allows the valve to be set open or closed. The disc, working parts and seat, is of bronze. The swing valve operates inwardly with the flow of water and is screwed into the cast iron body of the control valve. The control valves are also furnished with a gland head for use where no pit is provided or for deep sewers.

The valve was inspected and tested in an installation at 458 86th street, Brooklyn, and inspection checked against a sample of valve submitted to the Board. The location of the inlet and outlet of the valve being at different levels would tend to prevent a clear water way and cause obstruction, contrary to the requirements of C26-1259.0 (14.5.5) Administrative Building Code.

On the basis of the inspection and test and the defect noted, the Committee cannot recommend the approval of the valve and therefore recommends that the application for approval be denied.

(Sgd.) BERNARD A. SAVAGE,

Commissioner,

CHARLES M. BLUM,

Commissioner,

LESLIE V. HUBER,

Chief Engineer.

Committee on Tests.

and

WHEREAS, this report recommended the disapproval of this material.

Resolved, that the Board of Standards and Appeals does hereby *disapprove* the material known as the Boosey No. 109 Drainage Control Valve, in accordance with above report.

22-42-SM.

APPLICANT—American Lumber and Treating Company owner.

SUBJECT—Wolmanized Lumber, approval of.

APPEARANCES—

For Applicant: G. M. Dewart.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief

Murphy 4

Negative: 0

THE RESOLUTION (22-42-SM)

WHEREAS, the American Lumber and Treating Co., owner, filed on January 9, 1942, an application with the Board of Standards and Appeals for approval of the material known as Wolmanized Lumber; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 24, 1942.

Cal. No. 22-42-SM

Subject: Wolmanized Lumber, approval of.

The American Lumber and Treating Company of Chicago, Illinois, filed January 9, 1942 an application for approval of Wolmanized Lumber under C26-191.0 of the Administrative Code.

Wolmanized lumber is lumber which has been treated with Wolman salts (Tanalith) preservative under Federal Specifications TT W571, consisting of approximately 25% sodium fluoride, 25% disodium hydrogen arsenate, 37½% sodium chromate and 12% dinitro phenol by weight subject to the following tolerances. The minimum proportions of these compounds in dry salt or treating solutions, on the moisture free basis may be 22, 22, 34 and 5% respectively, but the preservative shall contain a total of at least 95% of these active materials and the contents shall be determined by the methods set forth in the Federal Specifications. This material is designed as a protection against decay and termites. These salts are injected into wood only in closed retorts under pressure with an absorption of not less than 3/10 lb. of dry salt per cu. ft. of wood.

The usual treating solution consists of water with 1.8 to 2.0 percent of Wolman salts. All timber treated is first air-seasoned until the moisture content is below 20%. Green center is artificially seasoned before treating. The treatment consists of placing timber in a suitable treating cylinder or retort, subjecting it to a vacuum of not less than 22 inches of hg for at least 15 min. Admitting treating solution at from 150° to 180° F. temperature until timber is submerged vacuum being maintained. Forcing treating solution into wood by pump pressure on the cylinder until additional preservative is refused. This requires pressures up to 120 lbs. per sq. in. Drawing off solution and applying air pressure of 75 lbs. for 15 min.

A report prepared by the Pittsburgh Testing Laboratory dated May 25, 1932, Laboratory Test No. 162739 indicates that the influence of the salts is maintained for a period of over six years. A service report of the company indicates up to 14 years. If green or partially seasoned southern pine lumber is heated it shall be

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conditioned in a cylinder by a bath of live steam at a temperature not to exceed 260° F. for a period of not to exceed 15 hours, followed by a vacuum of not less than 22 in. for not less than 2 hours. For Douglas Fir the temperature is 240° F., not to exceed 6 hours, followed by a vacuum of 22 in. not less than 1½ hours.

The Committee inspected the plant of the Company at Port Newark, New Jersey, on April 22, 1942, and found the plant in excellent condition. It is of entirely new construction with a capacity of 100,000 board feet per month. The company has a plant at Elizabeth Port with a capacity of 500,000 board feet per month.

Tests of the strength of Wolmanized lumber as compared with untreated lumber have been conducted by the Research Department of the Pacific Coast Building Official Conference Report No. 78, November 25, 1939, as follows:

Samples covering a wide range of ring, count and weight were selected from material submitted for test. The test specimens were approximately 1¾ in. by 1¾ in. in section. Specimens were loaded according to A.S.T.M. specification D-143-27. Flexure specimen was tested with 2 in. dimension of the original 2" x 4" timber in the vertical position of 26 specimens tested in compression. The average ultimate compression strength p.s.i. of treated specimens was 6290 and of untreated 9290, a loss of approximately 14%. Under flexure tests the average of 26 specimens, the ultimate strength was 8130 p.s.i. treated and of untreated specimens 8340. A loss of approximately 2½%. Where specimens were dried to constant weight the compression and flexure values were increased. The percentage of loss of strength should be considered in the design of a structure and the sections increased to offset these losses.

Recommendation.

On the basis of the tests conducted and the inspection by the Committee, it is recommended that lumber which has been treated with Wolman salts for protection against termites and decay, known as Wolmanized lumber be approved for use in New York City, under C26-178.0b(2.1.2.5b), when used in accordance with the requirements of C26-370 (7.4.7) and other applicable requirements of the Administrative Building Code, provided all lumber so treated be marked, labelled or approved by the Board of Standards and Appeals for use in New York City under Cal. No. 22-42-SM.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Wolmanized Lumber, on condition that the material be treated, installed and labelled, stamped or tagged in accordance with above report.

395-42-SM.

APPLICANT—Giovanni Fiore, owner.

SUBJECT—Antiflame (Bomb Extinguishing Compound), approval of.

APPEARANCES—

For Applicant: Fred Fabel.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative; 0

THE RESOLUTION (395-42-SM)

WHEREAS, Giovanni Fiore, owner, filed on May 13, 1942, an application with the Board of Standards and Appeals for approval of the material known as Antiflame (Bomb Extinguishing Compound); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 28, 1942.

Re: Cal. No. 395-42-SM.

Subject: Antiflame (Bomb Extinguishing Compound), Approval of.

Giovanni Fiore filed May 13, 1942, an application with the Board of Standards and Appeals for approval of his bomb extinguishing material, under the powers given the Board by Subdivision 666, paragraph 1 of the New York City Charter, reading: "to test approved material and appliances to be used pursuant to law."

This is a material furnished in powdered form, consisting of certain percentages of Ammonium compounds, boric acid, sodium borate, aluminum hydrate, magnesium sulphate and destrin, which is used in a ratio of 25 parts of the compound to 75 parts of water by volume. A test was made of this material on May 27, 1942, under the supervision of the Fire Department and witnessed by a committee of the Board.

A bomb was simulated by heaping magnesium in quantity of about 1 lb. The material used and known as Antiflame is described in Cal. No. 395-42-SM filed with the Board. The magnesium pile consisted of turnings and end pieces of magnesium alloy. Each heap contained approximately 1 lb. of this material and was spread over a wood deck constructed of ¾ in. planking tight jointed. The base of the cone of magnesium was approximately 12 in. in diameter. The material was then ignited and upon a signal from the inspector who, having determined that the magnesium was burning vigorously, applied Antiflame to the burning magnesium by means of a double acting stirrup pump, which delivered a good spray. The burning magnesium was extinguished in 50 sec. after the first application of the Antiflame. Approximately 1 gallon of the material was used. Examination of the extinguished material indicated that a gas was given off, including a faint odor resembling acetylene and ammonia. An examination of the container in which this material was mixed indicated that a sediment on the bottom remained, indicating that all of the material did not go into solution.

A sample of the material was sent to the Central Testing Laboratory (Department of Purchase), Report B17426 A & B with an analyses of the material reads as follows:

CENTRAL TESTING LABORATORY
480 Canal Street.

June 24, 1942

Antiflame Report

Article: Antiflame (Fireproof Compound) Re: Cal. No. 395-42-SM. Date Received by Laboratory: 5/29/42.

Tests	Found (A Liquid)
Appearance of Material	Grayish Suspension
Reaction to Litmus	Acid
Suspended Matter, % by weight	5%
Liquid (Clear)	95%
Composition of Suspended Matter:	
Insoluble Phosphates (Iron, Aluminum and Magnesium)	10%
Monoammonium Dihydrogen Phosphate	14%
Ammonium Sulphate	61%

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Tests	Found (A Liquid)
Soluble Chlorides (Sodium, Magnesium and Aluminum (By difference))	15%
Composition of Liquid (Clear)	
Total Solids	25%
Water (By difference)	75%
Composition of Total Solids: Monoammonium dihydrogen phosphate	10%
Ammonium sulphate	74%
Soluble Chlorides (Sodium, Magnesium and Aluminum) (By Difference)	16%
Appearance of Material	B—Powder White Crystalline Powder Soluble
Solubility in Water	
Reaction to Litmus (Aqueous Solution)	Acid
Composition:	
Total Sulphur Trioxide	39.5%
Total Ammonia	19.1%
Total Phosphorus Pentoxide	19.8%
Total Magnesium Oxide	2.3%
Water (Distillation Method)	3.0%
Interpretation of Results:	
All Phosphorus Pentoxide Calculated to Monoammonium Dihydrogen Phosphate	30%
Excess Ammonia Calculated to Ammonium Sulphate	45%
Excess (Partial) Sulphur Trioxide Calculated to Magnesium Sulphate	7%
Excess Sulphur Trioxide (Balance) Calculated to Sodium Sulphate	15%
Water	3%

A further test was made by Saarbach Laboratories dated July 15, 1942, as to toxic properties of any gases given off. The report is as follows:

"We have examined the effect of one sample of 'Antiflame' liquid submitted by you on July 14, 1942, as applied to burning magnesium. The magnesium was ignited, and when burning with a white flame, was extinguished by applying a part of the 'Antiflame' sample.

Tests were made to find what toxic or other gases are evolved from the 'Antiflame' liquid when applied to burning magnesium.

Results: The 'Antiflame' liquid applied to burning magnesium develops vapors and smoke. The smoke is formed of volatilized inorganic compounds originally present in the 'Antiflame' liquid; the greatest part by far, is ammonium salts. The vapor consists mainly of water vapor (steam) and gaseous ammonia. Neither can be considered toxic.

The presence of nitrous gases could not be detected. Traces of sulphides, produced under unfavorable conditions of extinguishing the flame, were immediately neutralized by the large excess of ammonia always present in the vapor.

None of the gases developed by applying the 'Antiflame' sample submitted, to burning magnesium, can be considered toxic."

Recommendation.

On the basis of the foregoing data, the Committee concludes that Antiflame does more effectively extinguish the burning magnesium than water alone. It is apparent that if stirrup pumps are to be used, Antiflame would be a satisfactory medium to use with them and in addition thereto, Antiflame can be used to extinguish secondary fire created by a bomb.

The Committee therefore recommends that Antiflame (a bomb extinguishing material when mixed with

water), be approved for use in New York City under the provisions of Section 666, Para. 1, of the New York City Charter, provided the material is manufactured in accordance with the formula on file with the Board, and is mixed with water before use in the proportion of one part powder to three parts water by volume, and that the material be sprayed in the incendiary bombs or burning material by an approved stirrup pump, and that each package of the material bear a label reading: "Approved by the Board of Standards and Appeals for Use on Incendiary bombs and fires, under Cal. No. 395-42-SM."

If the applicant desires approval of this material as a flame-proofing compound, additional tests will be required, as provided in the Rules of the Board.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Antiflame (Bomb Extinguishing Compound), on condition that the material be manufactured, and labelled, stamped or tagged in accordance with the above report.

486-42-SM.

APPLICANT—New York Trap Rock Corporation, owner.
SUBJECT—Clinton Point Dolomite Crushed Stone, approval of.

APPEARANCES:

For Applicant: Edward B. Kirby.

ACTION OF BOARD—Material approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (486-42-SM)

WHEREAS, the New York Trap Rock Corp., owner, filed on June 17, 1942, an application with the Board of Standards and Appeals for approval of the material known as Clinton Point Dolomite Crushed Stone; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 27, 1942.

Re: Cal. No. 486-42-SM.

Subject: Clinton Point Dolomite Crushed Stone, as produced by the New York Trap Rock Corporation at Clinton Point, New York, approval of, as a concrete aggregate.

On June 17, 1942, New York Trap Rock Corporation, owner, filed an application pursuant to Section C26-178.0, b and Section C26-191.0 of the Administrative Building Code for the approval of Clinton Point Dolomite Crushed Stone for use in New York City pursuant to Section C26-315.0 of the Administrative Code, as coarse and fine aggregates.

The manufacturing processes are as follows:

The initial step in quarrying consists of stripping for the purpose of removing the overburden of dirt, underbrush, bushes and small trees. After stripping the drilling operation is commenced, which consists of drilling from top of quarry with well drill, 8 in. to 8¾ in.

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in diameter with holes approximately 20 ft. on centers, to a depth which approximates that of the base of the quarry face at the quarry floor level. Primary blasting is done with Nitramon and T.N.T. Secondary blasting is done to reduce the size of the larger pieces of stone resulting from the primary blast so that such larger pieces, as reduced, will go through the crusher. The stone is transported from the quarry in ten 5 yard trucks, which are loaded by two 120 ton steam shovels and one 100 ton electric shovel having buckets $4\frac{3}{4}$ and 5 yard capacity. The stone is dumped from the trucks into the primary crusher, which has a capacity of more than 1,000 tons per hour and will crush a stone as large as 5 ft. by 5 ft. by 3 ft. When the stone leaves the primary crusher, it has a maximum size of 7 in. by 12 in. and is then further crushed in a Symonds Cone Gyratory Crusher, reducing it to a maximum size of 3 in. The stone is then conveyed by belt to a scalping machine where any stone in excess of 3 in. is screened out and sent back to the secondary crusher for recrushing and everything under 3 in. is conveyed to the screening building. The screening building is 840 ft. long by 140 ft. in height. In this building the stone enters by a belt conveyor and passes over screens which pick out all stones over 2 in. in diameter and all other stones fall through and are carried to the next screen where all particles over $1\frac{1}{2}$ in. are picked out. This operation continues over various screens so that the stone is separated into the following sizes: $2\frac{1}{2}$ ", 2", $1\frac{1}{2}$ ", $1\frac{1}{4}$ ", 1", $\frac{3}{4}$ ", $\frac{5}{8}$ ", $\frac{3}{8}$ " and screenings. As the various sizes are screened they fall into concrete silos. When the silos become filled, an overflow gate opens and the stone falls into an open stockpile. Occasionally stone sand is made by washing away all the dirt and fine particles from the screenings, leaving only the $\frac{3}{16}$ and $\frac{1}{8}$ in. sizes. The stone is screened and stored in straight sizes but when used in construction work several sizes are blended together to form an aggregate. Under the stone silos and stockpiles there runs a tunnel the full length of the screenings building. On the ceiling of this building there are a series of chutes each containing the same size of stone as is piled in the silo above it. By means of these chutes and the conveyor belt running underneath same, the stone can be blended to meet a specification by regulating the size of the openings in the chutes running from each silo. All of the commercial sizes of stone, except the screenings are washed in a washing building approximately 6 stories in height, where the stone enters at the top and drops to the bottom over a series of baffles. As the stone is baffled from side to side, water under 50 pounds per square inch pressure is sprayed upon it for the full 6 story drop. The stone is conveyed from the washing building to a loading chute where it is placed on board scows for delivery. These scows carry between 600 and 700 yards.

The controls on the manufacturing process consist of a test made at the point of loading and if the stone is found to be not of the proper sizing, adjustments are made immediately at the blending chutes over the conveyor belt to correct same. The applicant maintains a laboratory at the mill where the tests are made for size.

The applicant has submitted a copy of report of test No. 38R 135 by the Laboratory of the Division of Engineering of the New York State Department of Public Works, which indicates that the applicant's stone was tested December 29, 1938 with the following results:

Classification: Limestone (Dolomitic)	Per cent 100
Specific Gravity Test:	Av. Sp. Gr.—2.81
Abrasion Test	grams. 2.0% wear
Soundness Test by 10 cycles	Condition after Tests—O.K.
	Sodium Sulphate Mag. Sulphate
Wt. after 10 cycle test.	1st Test 1st Test
Percent loss (wt.)	0 0

The applicant has also submitted copy of Report No. 43659 of the Haller Testing Laboratory, dated March 15, 1940, for the purpose of indicating the manner in which it complies with specifications for a mix blended as to size. The report indicates the following:

	Analysis	Requirements Fed. Spec. SS A 281
Passing $1\frac{1}{2}$ "	100.0%	100%
Passing 1"	100.0%	90—100%
Passing $\frac{1}{2}$ "	48.5%	25— 60%
Passing #4	1.7%	0— 10%
Bulk Specific Gravity, saturated surface-dry basis	2.8	
Fineness Modulus	6.89	
Voids	49.5	
Wt. Cu. ft., dry loose	88.1#	

The examination of samples and observation of the manufacturing and storage processes at the mill indicates that the applicant is prepared to furnish this material in sizes or blends as specified thoroughly washed and ready for use as concrete aggregates pursuant to the requirements of the Administrative Code.

Recommendation.

Based on the foregoing data, it is recommended by the Committee on Tests that Clinton Point Dolomite Crushed Stone as produced by the New York Trap Rock Corporation at Clinton Point, New York, be approved for use in New York City as fine and coarse concrete aggregates pursuant to Section C26-315.0 of the Administrative Building Code on the following conditions:

1. That each scow destined for use in New York City shall be accompanied by a delivery slip stating in addition to the source of this material, the gradation, and it shall bear the following stamp or label thereon: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 486-42-SM" and that each truck delivery slip shall be similarly stamped by the dealer.

2. That samples shall be taken pursuant to accepted practice from each scow destined for New York City and a record kept of the resulting test for gradation.

3. That at least once each month a composite report of tests made pursuant to the above requirement shall be forwarded to the Board and certified by the applicant's representative.

4. That when used these aggregates shall comply with the requirements of Paragraph C of Section C26-315.0 of the Administrative Code.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Clinton Point Dolomite Crushed Stone, on condition that the material be manufactured and labelled, stamped or tagged in accordance with above report.

Recessed at 5:00 P. M. to July 31, 1942 at 10 A. M.

JOSEPH J. DOYLE, Chief Clerk.

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RECESSED MEETING OF JULY 28, 1942.

RECONVENED JULY 31, 1942 at 10 A.M.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

536-42-BZ.

APPLICANT—Sidney L. Strauss, for General Bronze Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 21 and 7c of the zoning resolution, to permit in a business use district the erection and maintenance of a building to be used for metal manufacturing.

PREMISES AFFECTED—34-12 10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45, inclusive), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss and Vincenzo Bassano.

For Opposition: Don Fanchelli, G. Emmi, Frank W. Nicolosi, Hugh Quinn, Carmela Scotto and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (536-42-BZ)

WHEREAS, Sidney L. Strauss, for General Bronze Corporation, owner, filed July 3, 1942, an application under sections 21 and 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a building to be used for metal manufacturing; premises: 34-12 10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45, inclusive), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 10th street, 9th street, 34th avenue and 35th avenue are each in business and unrestricted use districts; and

WHEREAS, the decision of the borough superintendent dated July 2, 1942 on N. B. Application No. 912-42, reads:

"1. Use of building located within a business district for metal manufacturing contrary to article 2 section 4 sub. sect. 19 of Building Zone Resolution.

2. Proposed factory occupancy is in excess of 25% of total floor area of building contrary to Article 2 section 4, subdivision 51C."

and

WHEREAS, the proposed building is of Class 3 construction with a frontage of 348 ft. 7 in. and a depth of 100.1 ft. one and two stories in height. It is proposed to use the proposed building for the assembly of metal products and also (on the 2nd story) as offices; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7c thereof,

to permit the erection of the building as proposed, on condition that the use shall be as set forth; that the building shall not be occupied for manufacturing purposes except on the first story for the full area of the lot and that the proposed second story shall be occupied only as offices and drafting room in connection therewith; that there shall be no windows or other openings on the rear or side line walls opening upon adjoining premises; that there shall be no skylights erected on the roof on that portion of the building west of the central line of columns, or if skylights are erected they shall remain fixed, except such skylights as may be legally required for the ventilation of toilets; that any spraying operation in the building shall be so placed as to be toward the 10th street side with the required exhaust and ventilation for same to 10th street but not through the roof; that the building throughout shall comply in all other respects with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 584-42-A and shall be equipped throughout with a sprinkler system as required under 584-42-A, which may be an extension of the Factory Mutual Sprinkler System now installed in the premises across 10th street under the same ownership and control; that such additional portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the use herein permitted does not contemplate permission of any uses which would be unduly noisy, odorous or noxious, such as would be prohibited under section 4, subdivision b, of the zoning resolution; that the proposed boiler room shall be separated from the balance of the building by fireproof construction and the chimney flue shall be carried to sufficient height to insure smoke dissemination into the upper air, so as not to affect the adjoining residential buildings; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

804-41-BZ.

APPLICANT—Max Horn, for Beach 71st Street Development Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—149 Beach 71st street, west side, 437 ft. north of Boardwalk (Block No. 607, Lot No. 83, Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Mollie Horn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (804-41-BZ)

WHEREAS, Max Horn, for Beach 71st Street Development Corporation, owner, filed September 19, 1941, an application under section 7h of the building zone resolution, to permit in a residence use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 149 Beach 71st street, west side, 437 ft. north of Boardwalk (Block No. 607, Lot No. 83), Arverne, Borough of Queens; and

WHEREAS, this application was granted by the Board, April 21, 1942 on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on April 21, 1942 only so far as it has reference to obtaining permits and completion of work, so as amended this portion of the resolution shall read:

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"that in view of statement made by applicant that the work has now been substantially completed, that all permits shall be obtained and all work completed within two (2) months from the date of this amended resolution. * * *

829-41-BZ.

APPLICANT—Max Horn, for Estate of Melvin G. Palliser, deceased, and Long Island Railroad Company, owners.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—223 Beach 102nd street, 238 Beach 103rd street and 102-02 to 102-24 St. Marks avenue, north side, and south side of Long Island Railroad, from Beach 102nd to Beach 103rd streets (Seaside avenue); (Block No. 587, Lot Nos. 1, 5, 71 and 76), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Mollie Horn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (829-41-BZ)

WHEREAS, Max Horn, for Estate of Melvin G. Palliser, deceased and Long Island Railroad Company, owners, filed September 26, 1941, an application under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 223 Beach 102nd street, 238 Beach 103rd street and 102-02 to 102-24 St. Marks avenue, north side, and south side of Long Island Railroad, from Beach 102nd to Beach 103rd streets (Seaside avenue); (Block No. 587, Lot Nos. 1, 5, 71 and 76), Rockaway Beach, Borough of Queens; and

WHEREAS, this application was granted by the Board, May 1, 1942, on certain conditions and applicant requested an extension of time to obtain permits and complete the work. Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 26, 1942 only insofar as it has reference to obtaining permits and completion of work, so as amended this portion of the resolution all read:

"that in view of statement made by applicant that the work has now been substantially completed, that all permits shall be obtained and all work completed within two (2) months from the date of this amended resolution. * * *

APPEALS FROM ADMINISTRATIVE DECISIONS.

1-42-A.

APPLICANT—Anthony J. Yaconetti, for Jennie Pica, adjoining property owner.

OWNER OF PREMISES—Margaret Hoffman.

SUBJECT—Appeal from a decision of the borough superintendent re Revocation of Alt. Applic. No. 367-42.

PREMISES AFFECTED—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony J. Yaconetti.

ACTION OF BOARD—Laid over to September 15, 1942 at 2 P. M. Owner of property to be notified.

383-42-A.

APPLICANT—American Can Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—383 Third avenue, east side, 205 ft. south of Third street (Block No. 980, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. M. Didriksen.

ACTION OF BOARD—Appeal withdrawn, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

400-42-A.

APPLICANT—American Can Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—134-184 43rd street and 4302-4320 Second avenue, southwest corner (Block No. 726, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. M. Didriksen.

ACTION OF BOARD—Appeal withdrawn, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

515-42-A.

APPLICANT—Alexander D. Crossett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (Aluminum plant).

APPEARANCES—

For Applicant: C. J. Sheehan, C. Lindstrom and Thos. Crimmins.

ACTION OF BOARD—Application for reopening withdrawn, without prejudice to reinstatement at a later date.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

519-42-A.

APPLICANT—Alexander D. Crossett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

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PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (2 Rectifier Stations, Nos. 1R and 16).

APPEARANCES—

For Applicant: C. J. Sheehan, C. Lindstrom and Thos. Crimmins.

ACTION OF BOARD—Application for reopening withdrawn, without prejudice to reinstatement at a later date.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

520-42-A.

APPLICANT—Alexander D. Crossett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (Transformer Service Building, No. 30).

APPEARANCES—

For Applicant: C. J. Sheehan, C. Lindstrom and Thos. Crimmins.

ACTION OF BOARD—Application for reopening withdrawn, without prejudice to reinstatement at later date.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

521-42-A.

APPLICANT—Alexander D. Crossett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, entire area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot

Nos. 1, 45, Block No. 2601, Lot Nos. 1, 21, 28, 34, 40, 44, 50 and Block No. 2602, Lot Nos. 1, 37, 40 and 44), Maspeth, Borough of Queens (Machine Shop Building, No. 44).

APPEARANCES—

For Applicant: C. J. Sheehan, C. Lindstrom and Thos. Crimmins.

ACTION OF BOARD—Application for reopening withdrawn, without prejudice to reinstatement at later date.

THE VOTE TO WITHDRAW REQUEST TO RE-OPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

592-42-S.

APPLICANT—Sidney Daub, for Simon Finkelstein, owner.
SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—124 Baxter street, west side, 97 ft. 10 in. south of Hester street (Block No. 207, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn, without prejudice to reinstatement at later date.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

593-42-A.

APPLICANT—Sidney Daub, for Simon Finkelstein, owner.
SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—124 Baxter street, west side, 97 ft. 10 in. south of Hester street (Block No. 207, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn, without prejudice to reinstatement at later date.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy
Negative: 0

594-42-A.

APPLICANT—Alexander D. Crossett, for Defense Plant Corporation, owner (Aluminum Company of America, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-19 Grand avenue, area bounded by Grand avenue, Page place, 56th road, Maspeth Creek and Newtown Creek (Block No. 2257, Lot Nos. 2, 16, 31, Block No. 2256, Lot Nos. 60, 61, 63, 150, 153, 155, Block No. 2235, Lot Nos. 1, 225, 300, 330, Block No. 2236, Lot Nos. 70, 75, 30, Block No. 2588, Lot Nos. 1, 50, Block Nos. 2589, 2590, 2595, 2603, 2604, 2605, 2606, Lot No. 1, Block Nos. 2591, 2592, 2593, 2594, Lot Nos. 1, 34, Block No. 2596, part of Lot No. 1, Block No. 2600, Lot No. 1, 45, Block No. 2602, Lot Nos. 1, 37, 40, 44 and 50), Maspeth, Borough of Queens (Ore Unloading Building).

APPEARANCES—

For Applicant: C. J. Sheehan, C. Lindstrom and Thos. Crimmins.

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For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument; to be reinstated at later date.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

1098-41-A.

APPLICANT—Morris B. Kessler, for Leeds Realty Corporation, adjoining owner.

OWNER OF PREMISES—Standard National Corporation (Joseph Glicker, lessee).

SUBJECT—Appeal from a decision of the borough superintendent re Revocation of Certificate of Occupancy No. 192-41.

PREMISES AFFECTED—2050-2066 White Plains avenue, northeast corner of Bronxdale avenue and southeast corner of White Plains avenue and Brady avenue (Block No. 4284, Lot Nos. 5, 11, 13 and 15, Borough of The Bronx).

APPEARANCES—

For Applicant: A. H. Haaren.

For Opposition: Jean Scher.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted—Certificate of Occupancy No. 192-41 revoked.

THE VOTE TO GRANT, REVOKING CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum 3
Not Voting: Deputy Chief Murphy 1
Negative: 0

THE RESOLUTION (1098-41-A)

WHEREAS, Morris B. Kessler, for Leeds Realty Corporation, adjoining owner (Standard National Corporation, owner of premises and Joseph Glicker, lessee), filed on December 22, 1941, an appeal from a decision of the borough superintendent, refusing to revoke certificate of occupancy affecting premises Northeast corner of White Plains road and Bronxdale avenue (Block No. 4284, Lot Nos. 5, 11, 13 and 15), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated December 9, 1941, reads:

"Your letter of December 2, requesting the revocation of the certificate of occupancy for the use of the subject premises as a parking lot has been received.

Certificate of Occupancy 192-1941 was issued on the basis of affidavits presented by the applicant, that the parking lot has been established prior to June 28, 1935. It was based on this Department's interpretation of the decision of the Court of Appeals, in the case of Boardwalk and Seashore Corp. vs. Murdock. Once a certificate is issued we have no authority to revoke it. Application for revocation should be made to the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the premises consist of a plot 252.19 ft. by 100 ft., irregular in area; located in a business use district; and used for the parking of more than five (5) motor vehicles pursuant to Certificate of Occupancy No. 192 of 1941; and

WHEREAS, the applicant contends that the certificate of occupancy in question was issued by the borough superintendent on the grounds that affidavits were presented alleging that the parking lot had been established prior to June 28, 1935, and that such certificate was issued on the interpretation of the decision of the Court of Appeals on the Matter of Boardwalk and Seashore Corp. vs. Murdock; that this case is no authority for the issuance of the certificate of occupancy, inasmuch as the original permit for

parking lot was revoked subsequent to June 15, 1935; that the premises have not been used uninterruptedly and continuously since the enactment of the amended zoning restrictions in June, 1935 or subsequent amendments thereto; that on November 28, 1934, Permit No. 14028 was issued; that Permit No. 14163 was issued April 10, 1935; that these premises were used as a parking lot until March 27, 1939, when the aforesaid permits were revoked; that the opinion of Special Term in the Boardwalk case contemplated that a certificate of occupancy be issued in instances where premises were maintained and used uninterruptedly subsequent to the amendment of the zoning restrictions; that the state of facts existing in connection with the premises herein involved are not analogous to the state of facts existing in the Boardwalk case, since the premises herein involved had not been used for automobile parking lot since March 27, 1939, when the permits issued prior to 1935 were revoked; and

WHEREAS, the report of a committee of the Board recommended the granting of this appeal and the revocation of Certificate of Occupancy No. 192-41 (Report of the Committee will be published in a later issue of the Bulletin).

Resolved, that the decision of the borough superintendent dated December 9, 1941 be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, revoking Certificate of Occupancy No. 192-1941.

236-42-S.

APPLICANT—Saul Goldsmith, for The Dime Savings Bank of Brooklyn, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—457-459 Livonia avenue and 517-527 Van Sinderen avenue, northeast corner (Block No. 3799, Lot No. 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (236-42-S)

WHEREAS, Saul Goldsmith, for the Dime Savings Bank of Brooklyn, owner, filed on March 23, 1942, an application for variation of the requirements of the Labor Law, as cited in a decision of the borough superintendent, affecting premises 457-459 Livonia avenue, and 517-27 Van Sinderen avenue, northeast corner (Block No. 3799, Lot No. 51), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated July 20, 1942, on Alt. Applic. No. 722-42, reads:

"1. Changing occupancy from stores to manufacturing on 1st floor and business use on 2nd floor in a building erected after Oct. 1, 1913—two fireproof exits required as per 270 Labor Law."

and

WHEREAS, the applicant states that the building is two stories (25 ft.) in height; 30 ft. by 90 ft. in area; of Class 3 construction; located in a business use district; erected 1926, and occupied—cellar, storage; first floor, stores, 15 persons; second floor, billiard parlor, 50 persons; proposed to be occupied—cellar, same; first floor, store and light manufacturing, 15 persons; second floor, billiard parlor, 50 persons; that the building is equipped with one 3 ft. 8 in. wood stairs enclosed in wood studs metal lath cement plaster both sides, equipped with kalamein doors and one fire escape at the rear, which extends to roof by ladder to street; that windows on the course are kalamein frame and sash, glazed with wire glass; that Certificate of Occupancy No. 43001,

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issued February 3, 1927, permits the use of the first floor for stores and the second floor for billiard parlor, live load of 120 lbs. on the first floor and 100 lbs. on the second; that Violation No. 515-42, issued January 24, 1942 is for occupying the first floor for factory without a certificate of occupancy; and

WHEREAS, the applicant contends that the first floor, portion where light manufacturing is carried on, is provided with two means of egress direct to street.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Alt. Applic. No. 722-42, Obj. No. 1, and that the application be and it hereby is granted, on condition that the requirements of the Labor Law shall be complied with as to the first floor, where manufacturing is proposed and that the second floor shall comply with the requirements of the Building Code, so long as the present business use, namely, billiard parlor, is continued; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto as to use, construction and occupancy in all other respects.

311-42-A.

APPLICANT—Kamel D. Mahfouz, et al., adjoining property owners.

OWNER OF PREMISES—No. 97 Realty Corporation (Thrift Auto Parking, lessee).

SUBJECT—Appeal from a decision of the borough superintendent re Revocation of Certificate of Occupancy No. 104904-42.

PREMISES AFFECTED—5501-5523 Sixth avenue, east side, block front between 55th and 56th streets (Block No. 833, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Kamel D. Mahfouz.

For Administration: Morris Hannes, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted—Certificate of Occupancy No. 104904 revoked.

THE VOTE TO GRANT, REVOKING CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum 3

Not Voting: Deputy Chief Murphy..... 1

Negative: 0

THE RESOLUTION (311-42-A)

WHEREAS, Kamel D. Mahfouz, et al, adjoining owners, filed April 13, 1942, an appeal from a decision of the borough superintendent, refusing to revoke Certificate of Occupancy No. 104904, affecting premises 5501-5523 Sixth avenue, east side, between 55th and 56th streets (Block No. 833, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated April 8, 1942, on B. N. Applic. 390-42, reads:

"In reply to your letter dated April 7th, with reference to the above case, the use of these premises as a parking lot was discontinued on May 31, 1938 as a result of court action instigated by this department. For this reason, when the case was reopened, it was treated as if the business had been continued to the present date.

This department has no power to revoke a certificate of occupancy."

and

WHEREAS, the applicant states that the plot is 200 ft. by 100 ft. in area, located in a business use, C area district; and

WHEREAS, Certificate of Occupancy No. 104904 issued March 26, 1942 on Bldg. Notice 390-42, classified the occupancy as "parking lot" and permitted the use of the premises for the parking of more than five (5) motor vehicles; and

WHEREAS, the applicant contends that the certificate of occupancy should not have been issued, as same is in violation of Article 2, Section 4 of the zoning resolution; that

the certificate of occupancy was issued under subdivision b of Section 6 of the Zoning Resolution and the interpretation thereof by the Court of Appeals in the Matter of Boardwalk and Seashore Corp. v. Murdock, 286 N. Y. 494; that the Boardwalk and Seashore case is not in any way analogous to the instant case; that the use in the instant case was not in the first instance lawfully established; that Letter Permit No. 1331D, issued May 27, 1935 by the Dept. of Housing, restricted the use of the premises to "Day parking from 8 A. M. to 1 A. M. for more than five (5) motor vehicles and night parking for five (5) motor vehicles only"; that the terms of this letter permit were violated, in that the premises were used for a garage and not for parking; that the Court in the matter of Boardwalk and Seashore held that the use after having been lawfully established, must have been thereafter maintained; that in the instant case, the lessee was evicted in May, 1938 and since that time, the premises have been used a part of each year by a church organization for gospel meetings and that at present the premises are being used for storage, in violation of the certificate of occupancy; that the amendment of section 6 of the Zoning Resolution effective December 18, 1940, could not have been intended to resurrect the dormant use; and

WHEREAS, the report of a Committee of the Board, reads as follows:

REPORT OF COMMITTEE.

July 22, 1942.

Re: Cal. No. 311-42-A.

Premises 5501-5523 Sixth Avenue, Brooklyn.

This is an appeal to revoke a Certificate of Occupancy #104,904, issued March 26, 1942, by the Borough Superintendent, to permit the plot at 5501-5523 Sixth avenue, Brooklyn, Block 833, Lot 1, 100 feet by 200 feet in area, to be occupied "for the parking of more than five motor vehicles". The applicant and adjoining owners have brought this appeal from the decision of the Borough Superintendent of April 8, 1942, refusing to revoke the Certificate of Occupancy.

The plot is in a business use area, where storage of more than five cars has been a prohibited use under the Zoning Resolution since 1928, and storage or parking of more than five cars a prohibited use since June 28, 1935. Prior to 1935, the use of the term "parking" had not appeared in the Zoning Resolution or Administrative Code. The term "parking" is used in the Motor Vehicle law as describing the standing of a motor vehicle unattended on the street. The public have come to use the term "parking" as describing also the placing of a motor vehicle on an open lot or in a garage. The amendment to the Zoning Law in June, 1935, was a recognition of the use of the term "parking" as equivalent to storage and to make parking as well as storage, whatever the difference might be in the shade of meaning, a prohibited use for more than five cars in a business use district. The Court of Appeals in its decision in *Monument Garage vs. Levy* stated "there is a substantial distinction, clearly recognizable, between the meaning of "storage" and "parking". One has a certain degree of permanency, while the other connotes transience". The Motor Vehicle law was cited as indicating the transient meaning of parking. The amendment to the Zoning Resolution in 1935 followed this decision to place parking as well as storage in the list of prohibited uses in a business district. After this amendment there were several important decisions by the Court of Appeals, namely, *People vs. Wolfe* and *People vs. Kesbec*, under which it appeared to confirm the understanding that the use of a plot for commercial parking prior to the amendment did not furnish a basis for its continuance in a business or residence use district without a zoning variance from the Board. This understanding, however, was upset by the decision of the Court of Appeals in the *Boardwalk and Seashore* and *Bazinsky vs. Kesbec* decisions. Under these decisions,

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due to the amendment of Section 6 by the addition of Paragraph "b", the Court decided that a transient parking use lawfully established prior to June 28, 1935, could continue provided it had been continuously maintained. The intent of the wording of the amendment that the use should have been lawfully established was apparently overlooked. Section 22 of the Zoning Resolution provides that the use of the premises to be lawful requires a Certificate of Occupancy. There had never been a Certificate of Occupancy or any permit issued for transient parking at the *Boardwalk and Seashore* site, which had been formerly occupied as an outdoor motion picture theatre and later as a refreshment stand where parking was permitted.

It appears that the Court of Appeals in the *Boardwalk-Seashore* decision has determined that a transient parking use in a business use district, lawfully established prior to June 28, 1935, and maintained continuously, could be continued and is entitled to a Certificate of Occupancy even though no Certificate of Occupancy had ever been applied for or issued, as required by Section 22 of the Zoning Resolution. An amendment to Paragraph "b" of Section 6 of the Zoning Resolution is now before the Planning Commission to correct this seeming defect.

While a certain distinction may exist between the meaning of the term "parking" as against the term "storage", it is very evident that there is no practical distinction when these terms are used in relation to a commercial parking lot. While "parking" is the term universally used, nevertheless within the law parking is storage. When a person places his car in a commercial parking lot and pays for the privilege, whether for a short space of time or under an agreement implied or otherwise by the day, week or month, there can be no distinction between this and placing it in a garage for safekeeping. All the elements of storage are present, i.e., safekeeping for hire. Storage has been interpreted by the courts in many instances. To permit storage under the guise of parking is contrary to the Zoning Resolution as amended in 1928.

In this appeal, the facts are that the lot was never occupied for storage or parking until early in June, 1935, when the use was established pursuant to a so-called Letter Permit #133, issued on May 27, 1935, by the Commissioner of Buildings to a tenant, Friedland, subject to conditions, restricting the parking to daytime, between 8:00 A.M. and 1:00 A.M., for more than five motor vehicles and night parking for five motor vehicles only. The law provides for the issuance of a Certificate of Occupancy on forms as approved by this Board and there is no provision for the issuance of any other form of occupancy permit. There is no basis for imposition of conditions by the Department. However, it appears that as a result of the terms of this Letter Permit not being lived up to, the Letter Permit was revoked. The use on the lot continued, however, and a violation was placed on the plot by the Fire Commissioner for occupying the premises, considered as an "enclosure" under the Administrative Code. The Fire Department reported "This enclosure is used for storing thirty-five live automobiles". The application was approved on August 1, 1935, for five automobiles only, and upon notice being sent to the applicant, he refused to pay the required fee. Notice was also sent by the Fire Commissioner to the Building Department that at the time he applied to the Fire Commissioner for a permit, namely, June 17th, 1935, the application was to "store 35 cars".

On March 22, 1937, an application was made to the Board for a zoning variance under Cal. No. 109-37-BZ for parking and storage of more than five motor vehicles. This application was denied on November 16, 1937, and the decision of the Board was upheld on March 21, 1939, upon review by the court by Mr. Justice Steinbrink. The reports of the Committee of In-

spection of October 26, 1937, and November 16, 1937, found that there was no need for a transient parking use and that the existing "use is now storage, differing from a garage in no way except it is out in the open instead of inside a building". At that time, Violation #131 of 1937 was pending but no court summons had been served pending determination in the Matter of *Friedland vs. Ingersoll*, a mandamus proceeding relating to curb cuts. The use was not abandoned until the Building Department instituted court proceedings to enforce the law. The tenant was found guilty on March 30, 1938, and was fined \$25. with a condition that he would be fined \$500. if the use was not vacated. It was finally vacated on May 31, 1938.

Building Notice #390-42 was filed with the Borough Superintendent for parking of more than five cars and after a departmental hearing, a Certificate of Occupancy was issued, #104904, on March 26, 1942. It is this certificate which the applicant requests the Board to revoke. The certificate issued reads: "Use of premises for the parking of more than five motor vehicles—note: these premises are approved for the parking of more than five motor vehicles only and no other use or uses."

In the opinion of the Committee, this Certificate of Occupancy #104904 should be revoked for the following reasons:

1. The Board found in 1937 that the lot was used for storage and that there was no basis in the locality for transient parking or storage.
2. That the terms of the so-called Letter Permit were not complied with, in that overnight storage was carried on.
3. That testimony indicates that signs were displayed in 1935, offering storage at \$1.00 per week and \$3.00 per month.
4. That testimony shows that the lot is now being operated as a "storage" lot and that the commonly used term "parking" does not correctly describe the present use.
5. That the use of the premises for three summer seasons for church purposes shows that the parking use has not been continuous since before June 28, 1935. This was admitted by the representative of the Borough Superintendent as having been overlooked at the time he made the report, which resulted in the issuance of the Certificate of Occupancy.
6. That the use was discontinued as a result of the action of the Board in 1937 and the court review of the Board's decision and the Magistrate's action to enforce compliance; that the law of the case was established and the decision in *Boardwalk-Seashore* case does not furnish a basis for permitting parking as the state of facts is not the same.
7. That in view of the unpaid taxes and the detriment to the surrounding owners, it is manifestly unfair to permit the use for the benefit of a tenant and owners who have not met their tax obligations, even to the extent of turning over an account of taxes due, the rentals received.

The Committee recommends that Certificate of Occupancy #104904 be revoked.

(Sgd.) HARRIS H. MURDOCK,
Chairman,

BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,
Committee.

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and

WHEREAS, this report of the Committee recommended the granting of this appeal and the revocation of the Certificate of Occupancy.

Resolved, that the decision of the borough superintendent dated April 8, 1942, on B. N. Applic. No. 390-42, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, revoking Certificate of Occupancy No. 104904.

399-42-S.

APPLICANT—The Englander Company, Inc., lessee, for Johnson and Stewart Realty Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—538 Johnson avenue, southwest corner of Stewart avenue (Block No. 2994A, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joel J. Weiner.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock and Commissioner Savage and Blum and Deputy Chief Murphy	4
Negative:	0

THE RESOLUTION (399-42-S)

WHEREAS, The Englander Company, Inc., lessee, for Johnson and Stewart Realty Corporation, owner, filed on May 14, 1942, an application for variation of the requirements of the Labor Law as cited in a decision of the fire commissioner, affecting premises 538 Johnson avenue, southwest corner of Stewart avenue (Block No. 2994A, Lot No. 11), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated April 14, 1942, reads:

"In response to your letter of April 2, 1942, you will please be advised that the provisions of the labor law prohibit the locking, fastening or securing of any door during business hours. All doors shall be arranged so as to be open from both sides. Therefore no permission may be granted to you to lock any door in your premises. This law is mandatory and the Fire Commissioner and Chief of the Department is without authority to make any modification."

and

WHEREAS, the applicant states that the building is 4 stories and basement (60 ft. 2 in.) in height, 105 ft. 1¼ in. by 105 ft. in area, of Class 1 construction, erected in 1919, located in an unrestricted use district, occupied: cellar, manufacturing of steel parts and storage, 25 persons; 1st floor, manufacturing of springs and day beds, 100 persons; 2nd floor, manufacturing of mattresses, carpenter shop and offices, 100 persons; 3rd floor, manufacturing of studio couches and sewing, 50 persons; 4th floor, paint shop and assembly of hospital furniture; 40 persons; the building is equipped with a sprinkler system, standpipe system, A.D.T. alarm and fire drills are maintained and there are three 44 in. fireproof stairs leading from roof to street; and

WHEREAS, the applicant contends that it is engaged in the manufacture of equipment under contract with the Army and Navy Departments; that there are three exits leading to the street from the interior fireproof stairway; that the doors located on the Stewart avenue side and at the rear of the premises, lead into hallways from which access to the entire plant may be gained by unauthorized persons; that the applicant has been requested by the War Department to equip the doors, located on the Stewart avenue side and at the rear of the building, with panic locks; that the door on the Johnson avenue side of the building is in charge of a receptionist; that in view of these facts, it is requested that the Board permit the installation of panic

bolts in the locations as shown on diagrams filed with this application; and

WHEREAS, the applicant has filed a copy of recommendation of the Plant Protection Office of the United States Army, relative to this question.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law as cited in a decision of the fire commissioner, dated April 14, 1942, and that the application be and it hereby is *granted*, on condition that panic bolts shall be installed on the exits from the first floor only at the points marked "1" and "2" on the plan filed with application; that such panic bolts shall be of an approved type; that all other entrances or exits shall be in charge of attendants; that this variation shall continue only during the term of the present emergency and for one year thereafter; that the occupancy shall be maintained substantially as set forth and to the satisfaction of the fire commissioner.

513-42-A.

APPLICANT—Jacob Becher, for Goblet Realty Corporation, owner (Jacob Becher and Brothers, Incorporated, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—214 West 26th street, south side, 170 ft. west of Seventh avenue (Block No. 775, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Nat. C. Helman.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Deputy Chief Murphy	2
Negative: Commissioners Savage and Blum...	2

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy	3
Negative: Commissioner Savage	1

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy	3
Negative: Commissioner Savage	1

THE RESOLUTION (513-42-A)

WHEREAS, Jacob Becher, for Goblet Realty Corporation, owner (Jacob Becher and Brothers, Incorporated, lessee), filed on June 25, 1942 an appeal from an order of the fire commissioner affecting premises 214 West 26th street, south side, 170 ft. west of Seventh avenue (Block No. 775, Lot No. 48), Borough of Manhattan; and

WHEREAS, Order No. 29501-LC, issued by the fire commissioner January 30, 1942, and repeated in a decision of the fire commissioner, dated May 26, 1942, reads:

"Before a permit may be issued for your refrigerating plant, the following must be done:

1. Have person in charge of the operating of the refrigerating system during each shift, secure a license or a Certificate of Qualification from the Boiler Squad, Department of Buildings, Municipal Building, Manhattan."

and

WHEREAS, the applicant states that the building is 2 stories and basement (35 ft.), in height, 80 ft. by 20 ft. in area, of Class 3 construction, erected in 1928, located in an unrestricted use district and occupied: cellar, 1st floor and 2nd floor, refrigerating plant and fur storage; and

WHEREAS, the applicant contends that the refrigerating plant has been under the present ownership since March 1, 1932 and the permit for such plant previously granted by the Fire Department; that the plant is of the direct expansion type, rated 500 lbs. production capacity 15½ tons of ice, equipped with an automatic shut-off device, relief valve and manual control, using ammonia as a refrigerant; that during the summer months, the plant is in operation from

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10 to 12 hours every other day; that during the winter months, the plant is operated from 10 to 12 hours one day each week; that the actual operation takes place during normal business hours and during which time a licensed refrigeration and stationary engineer is in charge from 6:30 A. M. to 5:30 P. M.

Resolved, that Order No. 29501-LC of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted, on condition* that a person holding a certificate of qualification shall be in charge of the refrigerating system during all times that the compressors and other moving parts are in operation; that at all other times there shall be a watchman present, qualified to give an alarm in case of fire or leakage; that in all other respects, the equipment shall comply with all laws, rules and regulations applicable thereto and the system shall be put in proper working condition to the satisfaction of the fire commissioner.

535-42-A.

APPLICANT—Brooklyn Bridge Freezing and Cold Storage Company, lessee, Etta C. Mollenhauer, owner.
SUBJECT—Appeal from an order and a decision of the Fire Commissioner.

PREMISES AFFECTED—282 Front street, north side, 124 ft. 3 in. west of Roosevelt street (Block No. 108, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Nathaniel Phillips.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Deputy Chief Murphy 2
Negative: Commissioners Savage and Blum... 2

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative: Commissioner Savage..... 1

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3
Negative: Commissioner Savage..... 1

THE RESOLUTION (535-42-A)

WHEREAS, Brooklyn Bridge Freezing and Cold Storage Co., lessee, for Etta C. Mollenhauer, owner, filed July 3, 1942, an appeal from an order and decision of the fire commissioner, premises 282 Front street, north side, 124 ft. 3 in. west of Roosevelt street (Block No. 108, Lot No. 21), Borough of Manhattan; and

WHEREAS, Order No. 29904-LC, issued February 26, 1942, by the Fire Commissioner and repeated in a decision of the fire commissioner dated June 18, 1942, reads:

"2. Have person in charge of the operating of the refrigerating system during each shift, secure a license of a Certificate of Qualification from the Boiler Squad, Department of Housing and Buildings, Municipal Building, Manhattan."

WHEREAS, the applicant states that the building is 43 ft. 6 in. in height, 21 ft. by 74 ft. 7 in. in area; of Class 3 construction; erected in 1903; located in an unrestricted district and occupied since 1915 as a refrigerating plant, one person in the cellar and one on the first floor; and

WHEREAS, the applicant contends that the plant is manually operated and requires the attendance of a qualified operator only during the period when it is in operation; the plant is in charge of a licensed engineer, who is on duty six days a week from 5 P. M. to midnight; that at the close of this period each night, the compressor is shut off; that the Fire Dept. order requires that a person in charge of the operating system during each shift, be a holder of a certificate of qualification; that the plant in question has only one shift; that the Fire Dept. insists on the plant being under the supervision of a holder of a certificate of quali-

fication at all times, despite the fact the plant is only operating 42 hours a week; that the cost of compliance with this order would mean an additional \$10,295 per year to the cost of operation; that there is no danger or hazard during the time the plant is in operation; that the Fire Dept. has caused the introduction of a bill before the City Council, which would remove the cause of interpretation, which resulted in the order in question; that said bill has not been acted on as yet and applicant requests interpretation of Sec. C26-214.0, as to avoid necessity of a 24-hr. supervision for the plant.

Resolved, that Order No. 29904-LC of the Fire Commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted, on condition* that a person holding a certificate of qualification shall be in charge of the refrigerating system during all times that the compressors and other moving parts are in operation; that at all other times there shall be a watchman present, qualified to give an alarm in case of fire or leakage; that in all other respects, the equipment shall comply with all laws, rules and regulations applicable thereto and the system shall be put in proper working condition to the satisfaction of the Fire Commissioner.

572-42-S.

APPLICANT—Gold Car Heating and Lighting Company, lessee, for Bush Terminal Buildings Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—33 35th street, northeast corner of Second avenue (Block No. 687, Lot No. 1); (4th floor), Borough of Brooklyn.

APPEARANCES—

For Applicant: John K. Meisner.

FOR Administration: Thos. A. Larkin, Fire Dep't.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1
Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy 3

THE RESOLUTION (572-42-S)

WHEREAS, Gold Car Heating and Lighting Company, lessee, for Bush Terminal Bldgs. Co., owner, filed July 15, 1942, an application for variation of the requirements of the Labor Law as cited in a decision of the fire commissioner, affecting premises 33—35th street, northeast corner of Second avenue (Block No. 687, Lot No. 1); (4th floor), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated July 6, 1942, reads:

"In response to your letter of July 2nd, requesting a permit for your employees to smoke in the offices of your premises, you will please be advised that your application must be denied, as the provisions of the State Labor Law prohibit smoking in all factories and offices connected with factories. This law is mandatory and the Fire Commissioner is without discretion to make any modifications."

and

WHEREAS, the applicant states that the building is 6 stories (83 ft.) in height, 700 ft. by 200 ft. in area, of Class 1 construction, erected in 1911, located in an unrestricted use district and occupied: 1st floor, storage of metal farm implements, 8 persons; 2nd floor, machine shop, 200 persons; 3rd floor, storage of drugs and linoleum, 20 persons; 4th floor, manufacture of iron and brass steam valves, 20 persons; 5th floor, machine shop, 200 persons; 6th floor, manufacturing of golf balls, 15 persons; that the building is equipped with a sprinkler system, standpipe system, fire alarm system and fire drills are maintained; that there are 2 fireproof stairs and 2 fire escapes, which extend to roof by stairs and to grade by counterbalanced stairs; that windows on the course are fireproof self-closing; and

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WHEREAS, the applicant requests permission to smoke in the offices located on the 4th floor of west Section A of the building, as shown on diagrams filed with this appeal; and

WHEREAS, the applicant contends that it is requested that permission be granted, to enable visiting clients and office employees to smoke within the office portion; that there are a total of 7 employees in the office; that the office is completely separated from the factory portion by brick walls with metal doors having glass panels; that the office floor is concrete and there is nothing other than correspondence and files, which would be inflammable within the office portion.

Resolved, that the decision of the fire commissioner, dated July 6, 1942, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

584-42-A.

APPLICANT—Sidney L. Strauss, for General Bronze Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—34-12—10th street, west side, 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45, inclusive), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (584-42-A)

WHEREAS, Sidney L. Strauss, for General Bronze Corporation, owner, filed on July 21, 1942, an appeal from a decision of the borough superintendent affecting premises 34-12 10th street, west side 73.02 ft. south of 34th avenue (Block No. 324, Lot Nos. 32 to 45 inclusive), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 2, 1942, on N. B. Applic. No. 912-42, reads:

"3. Building located on an interior lot exceeding 10,000 sq. ft. in area, required to be Class I construction as per sect. 4.2.1.

4. Provide standpipe as per sect. 16.1.1"

and

WHEREAS, the applicant states that the building will be 1 and 2 stories (30 ft.) in height, 348.57 ft. by 100.10 ft. in area, of Class 3 construction, equipped with a sprinkler system, located in a business use district and occupied: 1st floor, assembly and manufacturing of metal goods, 125 persons; 2nd floor, offices, 30 persons; and

WHEREAS, the applicant contends that the proposed building will be of non-fireproof construction and in excess of 10,000 sq. ft. in area; that the entire area will be equipped with a one source automatic sprinkler system; that the proposed assembly lines to be introduced within the building, are such that dividing or fire walls separating areas are impractical; that the War Production Board limited the owner to this type of construction; that the second floor will be but a small portion of the building and limited to office occupancy and will be equipped with a sprinkler system and for this reason it is requested that the requirement for a standpipe be eliminated.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 912-42, Obj. No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, on condition that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified in this appeal and as varied as to the zoning requirements under Cal. No. 536-42-

BZ; that the conditions of the grant under Cal. No. 536-42-BZ are made part of the requirements under this resolution; that the sprinkler system as therein required, shall be so constructed that at third points of the building for the full width and height of the building, there shall be a sprinkler deluge curtain installed in addition to the requirements of the Code for the spacing of heads of the sprinkler system; that such deluge sprinkler curtain shall have connected therewith a rate of rise equipment so that such deluge curtain will operate irrespective of any location of a fire within the building; as to Obj. No. 4, that the requirement for a standpipe may be waived, provided the requirements of this resolution and the resolution of the Board under Cal. No. 536-42-BZ are complied with in all respects, including the requirement for supplemental fire appliances.

588-42-A.

APPLICANT—Arnold W. Lederer, for Jacob Berman, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—358 Bushwick avenue and 151 Moore street, northwest corner and 70 Morrell street, northeast corner of Moore street (Block No. 3099, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: Thos. A. Larkin, Fire Dep't

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (588-42-A)

WHEREAS, Arnold W. Lederer, for Jacob Berman, owner, filed July 22, 1942, an appeal from an order and decision of the fire commissioner, premises 358 Bushwick avenue and 151 Moore street, northwest corner and 70 Morrell street northeast corner Moore street (Block No. 3099, Lot No. 1) Borough of Brooklyn; and

WHEREAS, Order No. 7876-LF, issued by the fire commissioner January 17, 1942, and referred to in a decision of the fire commissioner dated July 21, 1942, reads:

"1. Provide a fixed fire extinguishing system, in the cellar, and 1st story or other means for the extinguishment of fire satisfactory to the fire commissioner."

and

WHEREAS, the applicant states that the building is three stories (40 ft.) in height; 29 ft. 5 in. by 77 ft. 2 in. in area; of Class 3 construction; located in an unrestricted use district and erected 1912, and occupied: Cellar, mattress manufacturing, 1 person; first floor, store and mattress manufacturing, 1 person; second floor, Sunday school, 5 persons; third floor, paste factory, 30 persons; no change in use or occupancy is proposed; and

WHEREAS, the applicant proposes to install a non-automatic sprinkler system in cellar and first floor connected to house water supply, which will be at least 1¼ in. diameter; that portable fire fighting extinguishers will be provided throughout the building; and

WHEREAS, the applicant contends that the building faces on three streets, is equipped with one interior stairway and one fire escape; that all ceilings are covered with stamped metal and hall partitions are similarly covered; that the present occupant and owner has owned and occupied the building for the past 30 years; that most of the work carried on in the cellar is provided with metal bins equipped with metal covers; that the nature of the business is or wherein mattresses are sterilized and restuffed; that the first story is used mainly for display and storage.

Resolved, that Order No. 7876-LF, Item No. 1, of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted*, on condition that there shall be installed throughout the first floor and basement

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an automatic sprinkler system complying with all of the rules and requirements therefor, except that it may be fed from the domestic water line of the building, provided that such water line is not less than 1¼ in. in diameter continuously from the street water main, except that no water flow alarm need be installed and except that a single hose inlet may be installed at the building line, in lieu of the required siamese; that such siamese shall be installed toward the central portion of the premises along Moore street that the building shall not be increased in height or area and that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and *granted* only so long as the conditions are maintained, as to the factory use in cellar and first floor, substantially as proposed.

539-42-S.

APPLICANT—Bulova Watch Company, lessee, for Lawrence Realty Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—62-10 Woodside avenue, south side, from 62nd street to 63rd street (Block No. 1337, Lot No. 27), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: George Cohen.

For Administration: Thos. A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (589-42-S)

WHEREAS, Bulova Watch Company, lessee, for Lawrence Realty Company, owner, filed July 22, 1942, an application for a variation of the Labor Law, as cited in a decision of the fire commissioner, affecting premises 62-10 Woodside avenue, south side, from 62nd to 63rd streets (Block No. 1337, Lot No. 27), Woodside, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated July 6, 1942, reads:

"In response to your letter of June 23rd requesting permission to install panic bolts on doors of your premises, you will please be advised that your request must be denied.

Provisions of the Labor Law which are mandatory require that all doors leading into or out of a factory remain unlocked, unfastened and unbolted during working hours."

and

WHEREAS, the applicant states that the building is five stories (64 ft.) in height; 202 ft. by 62 ft. in area; of Class 1 construction; erected in 1925; located in a business use district; and occupied: Cellar, locker room and manufacture of small metal parts, 45 persons; first floor, locker room, offices, storage of metal parts and manufacture of machines, 90 persons; mezzanine, offices, tool storage, lockers, and heat treatment room, 40 persons; second floor, manufacture of small metal parts and storage of metal parts, 287 persons; third floor, manufacturing and storage of metal parts, 264 persons; fourth floor, assembly of small metal parts, storage and offices, 226 persons; that the building is equipped with three 3 ft. 8 in. fireproof stairs; equipped with a sprinkler system, standpipe system, interior fire alarm system and fire drills are maintained; and

WHEREAS, the applicant contends that the lessee was directed by the War Department to install panic bolts on the doors of building, as shown on the plans filed with this application; and

WHEREAS, applicant has filed copy of the recommendation of the War Department.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law as cited in a decision of the fire commissioner dated

July 6, 1942, and that the application be and it hereby is *granted, on condition* that panic bolts shall be installed on only such doors on the basement floor, 1st floor, mezzanine, 2nd, 3rd and 4th floors, as are indicated on plans filed with this application; that such panic bolts shall be of an approved type; that as to the 2nd floor, designated as an air raid area, there shall be installed near the doors, equipment approved by the fire commissioner for breaking the glass panels in the event of an emergency; that such equipment shall be installed on the hall side; that this variance is granted only for the term of the present emergency and for one year thereafter.

590-42-A.

APPLICANT—Philip Goldsmith, for Department of Sanitation, City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—225 West Burnside avenue, north side, between Sedgwick avenue and Osborne place and 1900 Sedgwick avenue (Block No. 3222, Lot No. 162), Borough of The Bronx.

APPEARANCES—

For Applicant: Philip Goldsmith and Saul Goldsmith.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (590-42-A)

WHEREAS, Philip Goldsmith, for Department of Sanitation, City of New York, owner, filed on July 23, 1942, an appeal from an order and decision of the fire commissioner, premises 225 West Burnside avenue, north side, between Sedgwick avenue and Osborne place and 1900 Sedgwick avenue (Block No. 3222, Lot No. 162), Borough of The Bronx; and

WHEREAS, Order No. 29364-LC, issued by the fire commissioner January 23, 1942, and repeated in a decision of the fire commissioner, dated July 1, 1942, reads:

"With reference to your application, dated January 13, 1942, for a permit to store liquefied chlorine at above location, I regret to inform you that this department is without power to grant such a permit for the reason that:

Section C19-95.0-D6, Art. 17, Administrative Code prohibits the issuance of such permit in a building occupied as a school.

You are therefore, hereby advised, to:

1. Abandon the proposed storage of liquefied chlorine on these premises. Sec. C19-95.0.a, Article 17, Administrative Code."

and

WHEREAS, the applicant states the building is two stories and basement (33 ft.) in height; 65 ft. by 85 ft. irregular in area; of Class 1 construction; located in a residence use district; erected in 1936 and occupied—Cellar, boiler room; basement, sanitation laboratory, tank room and Dept. of Sanitation office, 15 persons; first floor, sanitation laboratory, tank room and Dept. of Sanitation office, 15 persons; second floor, laboratories, 25 persons; that no change in use or occupancy is proposed; and

WHEREAS, the applicant contends that the building is used as a sanitary laboratory for students of New York University and for post graduate courses for students throughout the country; that that building is also used for instruction in Military Sanitation for Government and city agencies; that the laboratory is owned by the City of New York and operated by New York University; that the use of chlorine is essential to the research in sewage treatment; that the tank room where the chlorine is used, is separated from the remainder of the structure, vertically by fireproof walls and partitions and horizontally by a 5 inch stone con-

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crete arch; that there are two means of egress from the tank room entirely independent from the rest of the building; that chlorine is stored in 100 or 150 lb. steel cylinders; that the maximum quantity on hand at any one time will be 300 lbs; that the chlorine is fed to the sewage through a Wallace and Tiernan chlorinator, with provision for either dry feed or mixed feed through an injector; that a mixture of chlorine and air, or chlorine, air and water is diffused through the sewage by means of corundum diffusers; that in view of the fact that the use of chlorine is not specifically a class room use, but is used in a building designed and constructed so as to provide for chlorine use, it is requested that the Board permit the use of chlorine as proposed.

Resolved, that Order No. 29364-LC, Item No. 1, of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted*, on condition that not more than two (2) cylinders containing not more than a total of 300 lbs. of liquefied chlorine shall be stored on the premises at any time; that the chlorine shall be maintained substantially as set forth and for the purpose as stated; that the use of the chlorine and the supervision of equipment shall be in charge of an instructor holding a Certificate of Fitness from the fire commissioner; that such chlorine cylinders and the proposed Wallace and Tiernan chlorinator shall be kept within a separate enclosure within the room as indicated on plans filed with this appeal; that such enclosure shall have a tight-fitting door and shall be vented to the outer air and shall be equipped with an open sprinkler head over the tanks fed from the house water supply with a branch not less than 1 inch; that a control of the opening of such heads shall be outside of the room and sufficiently remote with a sign attached giving instructions as to its operation; that a gas mask as approved by the United States Department of Mines for use for liquefied chlorine shall be kept in a cabinet adjacent; that proper racks shall be provided with steel bands to insure the cylinders being maintained in an upright and fixed position; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that this equipment and its use shall be maintained to the satisfaction of the fire commissioner; that a proper certificate of occupancy shall be obtained from the Dept. of Housing and Buildings covering the actual use of the building.

595-42-S.

APPLICANT—John Maynard, for Steinway and Sons, owners (General Aircraft Corporation, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—43-02 Ditmars boulevard, southwest corner of 45th street (Block No. 782, Lot Nos. 1, 25, 26, 47 and 48), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: John Maynard.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum and Deputy Chief Murphy

Negative: 4
0

THE RESOLUTION (595-42-S)

WHEREAS, John Maynard, for Steinway and Sons, owners (General Aircraft Corporation, lessee), filed on July 27, 1942, and application for variance of the requirements of the Labor Law as cited in a decision of the borough superintendent, affecting premises 43-02 Ditmars boulevard, southwest corner of 45th street (Block 782, Lot Nos. 1, 25, 26, 47 and 48), Astoria, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated July 24, 1942, reads:

"In response to your letters of June 10, 1942 and July 23rd, 1942, you are advised that an inspection has been made and due to conditions existing, your request for permission to allow smoking in certain portions of building is denied."

and

WHEREAS, the applicant states that the building is one story and basement (18 ft.) in height and 180 ft. by approximately 500 ft. in area, of Class I construction, located in an unrestricted and business use district, erected about 1925, and occupied; basement, storage, welding, sand blasting and paint spraying, assembly and machine shop, 250 persons; first floor, painting, assembly, 250 persons, and proposed to be occupied: basement same 300 persons, first floor same 300 persons; that the building is equipped with a sprinkler system, standpipe system and fire drills are maintained, and there are three 44 in. fire-proof interior stairways; and

WHEREAS, the applicant contends application is made for permission to smoke in the office portion of the first story as outlined on drawings filed with this application; that this plant is engaged in high priority defense work, and is operating 24 hours a day; that the office employees work long hours, and it is necessary to permit them to smoke, in order to relieve the strain and to obtain a greater degree of efficiency for the ultimate in production in the interests of National Defense; that the office portion, where permission to smoke is requested, is separated from the balance of the building by fire-proof construction, with all openings and partitions connecting to the factory portion of the building protected with fire-proof doors; that the office portion is adequately ventilated and contains no combustible material except correspondence, records, files, etc.

Resolved, that the Board of Standards and Appeals do hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the fire commissioner, dated July 24, 1942, and that the application be and it hereby *granted*, on condition that the requirements of the Labor Law and the Rules for Smoking in Factories adopted by this Board, shall be complied with in all respects, except that smoking may be permitted within the portion of the extension of the building on the first floor, as indicated on plans filed with this appeal, provided the openings from such office section to the main factory building shall be protected with fireproof, self-closing doors and fire door as indicated on such plan as filed; that nothing in this resolution shall be deemed to approve the occupancy of the number of persons herein set forth; that approval of such occupancy shall be obtained from the department of housing and buildings; that the fire equipment throughout shall be to the satisfaction of the fire commissioner; that the variance is granted only during the term of the present emergency and for one year thereafter.

597-42-S.

APPLICANT—I. Joseph Lewandowski, for National Carbon Co., Inc., Unit of National Carbon and Carbon Corporation, owner (Fada Radio and Electric Co. Inc., lessee).

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—30-02 to 30-20 Thomson avenue, south side, from 30th street to 30th place (Block No. 274, Lot No. 1); (6th floor), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: I. Joseph Lewandowski.

For Administration: Thos. A. Larkin, Fire Department.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum and Deputy Chief Murphy

Negative: 4
0

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THE RESOLUTION (597-42-S)

WHEREAS, I. Joseph Lewandowski, for National Carbon Co., Inc., Unit of Carbon and Carbide Corporation, owner (Fada Radio and Electric Co., Inc.), filed on July 11, 1942, an application for variation of the requirements of the Labor Law, as cited in a decision of the fire commissioner, affecting premises 30-02 to 30-20 Thomson avenue, south side, between 30th street and 30th place (Block No. 274, Lot No. 1); (6th Floor), Long Island City, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated June 23, 1942, reads:

"This will acknowledge receipt of your letter of June 16th wherein you request permission to install panic bolts on certain exit doors in your premises. However, your application must be disapproved, for the reason that the provisions of the Labor Law provide that no door leading into or out of any factory may be locked, bolted or fastened during working hours. Modifications of this law may be made by the Board of Standards and Appeals, as the Fire Commissioner has no discretion in the matter."

and

WHEREAS, the applicant states that the building is 7 stories and penthouse (106 ft.) in height, 200 ft. by 301.4 ft. in area, of Class 1 construction, located in an unrestricted use district, erected in 1914 and occupied: cellar, engine room and switchboard; 1st floor, advertising, 40 persons; 2nd floor, post card manufacturing, 100 persons; 3rd floor, post card manufacturing, 100 persons; 4th floor, post card stock room, 20 persons; 5th floor, post card manufacturing, 200 persons; 6th floor, manufacturing of radio receivers, 225 persons; 7th floor, offices, 400 persons; penthouse, advertising, 15 persons; that no change in use is proposed, except that the occupancy of the 6th floor will be increased to 300 persons; that the building is equipped with a sprinkler system, standpipe system, interior fire system and fire drills are maintained; that there are six 44 in. fire-proof stairs in the building; and

WHEREAS, the applicant contends, that in compliance with the direction of the Plant Protection Section of the Philadelphia Signal Corps, U. S. Army, the tenant has been advised to take precautionary measures to safeguard the work from sabotage; that accordingly, guards have been placed at the 2 principal entrances to the 6th floor; that there are, however, 6 additional stair exits, never used except in emergency; that the Signal Corps requires that these 6 stair doors be equipped with panic bolts for the duration of the government contract; and

WHEREAS, the applicant has filed copy of recommendation of the U. S. Army Plant Protection Officer.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in decision of the fire commissioner dated June 23, 1942, and that the application be and it hereby is *granted*, *on condition* that such stair doors on the 6th floor shall be equipped with panic bolts, as indicated on plan filed with this appeal and marked Stair 2, 3, 5, 6; that such panic bolts shall be of approved type; that free exit shall be afforded at all times in stairways 1 and 4, at which attendants shall be posted; that this variance is *granted* only during the term of the present emergency and for one year thereafter; that nothing in this variance shall be interpreted to give approval of the occupancy as proposed, which should be submitted to the borough superintendent for approval.

600-42-A.

APPLICANT—Bri-Test Products Corporation, lessee, for A. J. C. Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—810 East 136th street, south side, 300 ft. east of Willow avenue (Block No. 2587, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis Gould.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock and Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (600-42-A)

WHEREAS, Bri-Test Products Corporation, lessee, for A. J. C. Corporation, owner, filed on July 28, 1942, an appeal from a decision of the fire commissioner affecting premises 810 East 136th street, south side, 300 ft. east of Willow avenue (Block No. 2587, Lot No. 11), Borough of The Bronx; and

WHEREAS, Order No. 31285-LC, issued by the fire commissioner June 16, 1942, reads:

"(2) Discontinue the manufacture of an inflammable mixture on these premises, in the absence of the necessary facilities for such manufacture as prescribed therefor in Article 9, New York City Administrative Code.

NOTE: Thirty-two (32) ounce glass bottles may not be used for inflammable mixtures."

and

WHEREAS, the applicant states that the building is 1 story (15 ft.) in height, 80 ft. by 100 ft. in area, of Class 3 construction, located in an unrestricted use district, erected in 1926 and occupied for the storage and manufacture of floor polish; and

WHEREAS, the applicant contends that Bri-Test Floor Polish is partly Manila Gum and shellac solution in solvent alcohol, identical with that of the Twin City Shellac Company and the Buckingham Wax Corporation, both of which products have been permitted by the Board to be marketed in 32 oz. glass containers and it is requested that similar permission be granted to the applicant, so as to meet the competition; and

WHEREAS, the applicant states that Items 1 to 10 of Order No. 31001-LC, issued by the fire commissioner on May 21, 1942, have been complied with.

Resolved, that the order of the fire commissioner, Order No. 31285-LC, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the polish as proposed, to be packaged in 32 ounce glass bottle containers, *on condition* that it shall meet the requirements of the Administrative Code as to being labeled an inflammable mixture, provided the manufacturing process and the building in which the products are manufactured and stored, shall comply with all requirements therefor, including Order of fire commissioner No. 31001-LC.

601-42-S.

APPLICANT—Oscar Goldschlag, for Boadway and 81st Street Realty Co., Inc., owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—2253-2259 Broadway and 252-254 West 81st street, southwest corner (Block No. 1228, Lot No. 57), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Goldschlag.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (601-42-S)

WHEREAS, Oscar Goldschlag, for Broadway and 81st Street Realty Co., Inc., owner, filed on June 15, 1942, an application for variation of the requirements of the Labor Law, as cited in a decision of the borough superintendent, affecting premises 2253-2259 Broadway and 252-254 West

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81st street, southwest corner (Block No. 1228, Lot No. 57), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated June 5, 1942 on Alt. Applic. No. 654-42, reads:

"1. Counterbalanced stair should be maintained as per sec. 273 Labor Law."

and

WHEREAS, the applicant states that the building is 3 stories (40 ft.) in height, 76 ft. 4¾ in. by 104 ft. 3 in. in area, of Class 3 construction, erected in 1916, located in a business use district and occupied: cellar, boiler room, storage and stores, 10 persons; 1st floor, stores, 25 persons; 2nd floor, offices and light manufacturing, 28 persons; 3rd floor, offices and light manufacturing, 25 persons; the building is equipped with an interior fire alarm system and fire drills are maintained; that there is one 3 ft. 8 in. stairs enclosed in partitions of wood studs, metal lath and plaster and one exterior stair, which leads from 3rd story to grade with counterbalanced stair from lowest balcony; and

WHEREAS, it is proposed to remove the counterbalanced stair from the lowest balcony to grade and to install in lieu thereof, a new vertical counterbalanced drop ladder in guides, as shown on plan filed with this application marked "Received June 15, 1942"; and

WHEREAS, the applicant contends that the present counterbalanced stair conflicts with show windows and stores and no proper rentals can be obtained for such stores; that the building is heavily encumbered by high assessments and mortgages; that the income at the present time is less than the cost of maintenance; that a change in the frontal appearance would help considerably; that for these reasons, it is requested that the Board grant a variation of the Labor Law, so as to permit the alteration of fire escape as proposed.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. No. 654-42, Obj. No. 1, and that the application be and it hereby is granted on condition that the existing counter-balanced stair of fire escape may be removed provided there is installed in its place a counter-balanced vertical ladder constructed substantially as indicated on revised plans marked "Received July 24, 1942," provided such vertical ladder meets the approval of the borough superintendent as to construction; that the ladder shall be fitted with an interlocking device that will engage with the framing of the balcony when the counter-balanced ladder has reached sidewalk level; that a goose neck ladder to roof shall be constructed from the fire escape; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

602-42-A.

APPLICANT—John F. Jackson, for Brooklyn and Queens Y.M.C.A., owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—1121-1125 Bedford avenue, northeast corner of Monroe street (Block No. 1812, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (602-42-A)

WHEREAS, John F. Jackson, for Brooklyn and Queens Y.M.C.A., owner, filed on July 30, 1942, an appeal with the Board from an order of the fire commissioner, affecting premises 1121-1125 Bedford avenue, northeast corner of Monroe street (Block No. 1812, Lot No. 1), Borough of Brooklyn; and

WHEREAS, at the hearing on this appeal, the applicant failed to make an appearance.

Resolved, that the appeal be and it is dismissed for lack of prosecution.

226-42-A.

APPLICANT—Sidney L. Strauss, for General Bronze Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order of the fire commissioner and a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—34-19 10th (Hancock) street, east side, 146 ft. south of 34th avenue (Block No. 325, Lot No. 15 and part of Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Appeal reopened and granted on condition.

THE VOTE TO REOPEN AND GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (226-42-A)

WHEREAS, Sidney L. Strauss, for General Bronze Corporation, owner, filed on March 19, 1942, an appeal from a decision of the borough superintendent and from an order of the fire commissioner, affecting premises 34-19 10th (Hancock) street, east side, 146 ft. south of 34th avenue (Block No. 325, Lot No. 15 and part of Lot No. 9), Long Island City, Borough of Queens; and

WHEREAS, this appeal was withdrawn, after argument, on March 31, 1942; and

WHEREAS, the applicant requested a reopening of the case and restoration to the calendar; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 190-42, dated July 21, 1942, reads:

"1. Storage of spraying materials may not exceed 200 gallons. Rule 6.2.

2. Storage room does not conform to Rule 6.1.3—re. the following:

a. Fireproof window 20 ft. distant from opposite exposures, not provided.

d. Vent duct extending through adjoining structure may not be permitted."

and

WHEREAS, order no. 90698-D, issued by the fire commissioner March 3, 1942 reads:

"You are hereby notified that an inspection of the above premises, used to store paints, etc. shows that the following must be done before the permit requested by you can be issued:

2. Discontinue the maintenance of any open flames (welding) within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8, Spray Rules.

4. Provide a separate exterior storage building of fireproof or fire-resistive material with ventilated plain glass skylight or a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building for the storage of spray material in excess of 100 gallons.

Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court nor opposite within 20' of windows of adjacent buildings; nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by a metal duct or fan at least 8" in diameter. The floors of all storage rooms shall be waterproof up to a height of at least

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6" from the floor and be properly pitched for drainage purposes to a low point within enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the doors shall be at least 6" above the finished floor. All doors to be tin-clad approved fireproof and self-closing. Rule 6.1.3, Spray Rules.

Note: If interior storage room is constructed, the amount of spray material permitted will be not more than 200 gallons.

5. Discontinue the use of exterior storage building for the storage of spray materials, as same does not conform with specifications of spraying rules, Board of Standards and Appeals. Rule 6.1.3, Spray Rules."

and

WHEREAS, the applicant states that the building is 1 and 2 stories (15 ft. and 25 ft.) in height, 343 ft. 8 in. by 185 ft. 4¾ in. irregular in area at 1st floor, 318 ft. 7¾ in. by 30 ft. in area at 2nd floor, of class 3 construction, equipped with a sprinkler system, located in an unrestricted use district, erected in 1890 and occupied as a foundry, machine shop and storage—150 persons, on 1st floor and as offices—75 persons—on 2nd floor; no change in use or occupancy is proposed; and

WHEREAS, the applicant contends that Alt. Applic. No. 190-42 was filed with the borough superintendent for the erection of a one story addition to the existing building; that a portion of the new addition will be erected fireproof and will be used for the storage of combustible materials, as indicated on plans filed with the borough superintendent; that subsequent to the filing of Alt. Applic. No. 190-42, an inspection was made by the Fire Department and order no. 90698-D was issued; and

WHEREAS, the applicant contends as to Item 2 of the fire commissioner's order, that spraying is done on the 2nd floor within an area in which arc welding is carried on, but in no case, is welding done within less than 35 ft. of the front of the spray booths; that the spray booths comply with the rules in all other respects; as to Item No. 4, of the fire commissioner's order, that a fireproof vault has been installed, as indicated on plans and has been used for the storage of paints for several years, and it now develops that this room or vault does not comply with the requirements in that there is no window to the outer air and no sprinkler heads have been provided; that it is intended to comply with all requirements for use of this vault for the installation of paints, but the limitation in the rules of 200 gallons will be exceeded, as it is necessary to store approximately 800 gallons in this vault; that all other requirements of the Fire Department order will be complied with and it is requested that the Board permit the spraying as it is now conducted to remain and the paint storage vault to be accepted in its existing condition; that the objections of the borough superintendent, Nos. 1 and 2 are similar to the orders of the Fire Department and it is respectfully requested that a variation of the rules be granted so as to permit the acceptance of the existing conditions.

Resolved, that the appeal be and it hereby is reopened and that the decision of the borough superintendent on Alt. Applic. No. 190-42, revised under date of July 21, 1942, Objection Nos. 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the paint storage room shall be constructed of fireproof construction throughout and protected with a sprinkler system, provided that the amount of paint stored within such room shall at no time exceed 600 gallons, and as to Objection No. 2, that the vent duct extending through adjoining structure shall be protected throughout with not less than 4 in. of masonry with proper air space; that no window in the adjoining factory building under the same ownership and control shall be nearer than 10 ft. from any ventilating opening of such room; that all other objections of the borough superintendent shall be complied with; that his variance shall be continued only during the term of the present emergency and for one year thereafter; and that it shall all be maintained to the satisfaction of the borough superintendent and the fire commissioner.

MATERIAL SUBMITTED FOR APPROVAL.

424-42-SM.

APPLICANT—S. H. Pomeroy Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Jackson System (Fastenings for Acoustical and Insulating Materials for Walls and Ceilings), previously approved.

APPEARANCES—

For Applicant: Chas. J. Spiess, Jr.

ACTION OF BOARD—Application reopened and referred to the Committee on Tests, for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

Recessed at 5:00 P. M. to July 31, 1942, at 10:00 A. M.

Reconvened July 31, 1942 at 10:00 A. M., adjourned 1:10 P. M.

JOSEPH J. DOYLE, Chief Clerk.

424-42-SM.

Note: In Bulletin No. 30, Vol. 27, issued July 28, 1942, notation was made of publication in a subsequent issue of the Bulletin—this resolution is now published as follows:

THE RESOLUTION (424-42-SM)

WHEREAS, the S. H. Pomeroy Company Incorporated, owner, filed on May 22, 1942, an application with the Board of Standards and Appeals for approval of the material known as the "Jackson System" (fastenings for acoustical and insulating materials for walls and ceilings); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

July 9, 1942.

Re: Cal. No. 424-42-SM

Subject "Jackson System" (Fastenings for Acoustical & Insulating Materials for Walls and Ceilings), approval of.

The S. H. Pomeroy Company of New York filed on May 22, 1942 an application with the Board of Standards and Appeals for the approval of the "Jackson System" under the pertinent provisions of the Administrative Building Code.

The Jackson System (Fig. 1) is of all metal designed to support and hold securely in place by means of various accessories as described herein, such materials in prefabricated forms as are available for acoustical and insulation purposes. The accessories comprising the system consist of a 7/8" furring strip (dovetail in profile), a spear-pointed nail which engages into a continuous inverted V groove of the dovetail shaped zinc-coated furring member as shown in Fig. 1. Additional accessories consist of a furring clip which supports the furring strip to the channel runner system, a furring strip spacer, a batt wall furring strip and clip which is used where the acoustical insulation material abuts against the wall.

Tile reinforcement spline and plain and tile attachment spline both used for the purpose of supporting adjacent tiles and the spearpoint nail which attaches the acoustical or insulation material through the spline to the furring strip. The furring strip is also used to nail masonry anchorages and also provides a method of attachment of wall surfacing material to a concrete wall. When so used, the furring strips are nailed to the wood forms and after the forms are filled with

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concrete, the furring strip is exposed on the stripped wall.

By means of the spearpoint nail, masonry reinforcements or acoustical or insulating material are attached to the furring strip. Similarly, in ribbed floor construction or T-beam construction, the furring strips are embedded in the concrete and the ceiling material attached thereto in the same manner.

When used in hung ceilings, hangers and channel runner system are furnished by others. From these carrying channels, the Jackson System is suspended as shown in Fig. 1 and with accessories as herein described.

All parts comprising the system are manufactured from one oz. hot zinc coated steel including the spearpoint fastening nails made of 13 gauge wire and manufactured and electro-galvanized by the applicant.

Tests

Tests were made by the National Advisory Committee for Aeronautics, dated April 28, 1942, under the supervision of Mr. Charles A. Herrmann on the supporting power of a spearhead nail and the furring clip, with results as follows:

Using a 12" furring strip, the brake failed at 173# with load suspended on a spearhead nail.

Using a 24" furring strip, the brake failed at 185# with load suspended on a spearhead nail.

Using a 12" furring strip, the brake failed at 186# with load suspended on a furring clip. The load pulling squarely on the furring clip.

Using a 24" furring strip, the brake failed at 181# with load suspended on a furring clip. The load pulling squarely on the furring clip.

Using a 24" furring strip, the brake failed at 175# with load suspended on a furring clip. The load was slightly offset so that there was not a square pull on the furring clip.

Using a factor of safety of 4, the anchors are good for approximately forty (40) pounds per lineal foot.

Tests were also made at Columbia University, Lab. No. 70491-2 on $\frac{7}{8}$ " Jackson furring strips tested as beams which were supported on 4" x 2 $\frac{1}{2}$ " I-beams 24" c-c. Load was applied at mid-span through knife edge and bearing plate 2 $\frac{3}{8}$ " long with loads and deflections as follows:

$\frac{7}{8}$ " Jackson Furring Strips			
70491		70492	
Applied Load (lbs.)	Midspan Deflection, ins.	Applied Load (lbs.)	Midspan Deflection, ins.
10	0	10	0
50	0.04	50	0.02
100	0.07	100	0.06
150	0.11	150	.11
200	0.15	200	.14
225	0.18	225	.17
250	0.23	250	.21
256	0.29	256	.27
Max. Load		Max. Load	

Recommendations

On the basis of the foregoing data and tests, the Committee recommends the approval of the "Jackson System" (suspended ceiling system, and the furring strip embedded in concrete and used to support a ceiling or to provide attachment for masonry anchors and wall surfacing) under C26-178.0,b and C26-191.0 for use as an alternative method of cross-furring as provided for in C26-461.0, Par. 3, and when hung in the general form as shown in Fig. 1.

The Committee further recommends that each package or bundle of "Jackson System" materials shall be tagged, labeled or marked as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 424-42-SM."

The applicant has also requested the approval of the Jackson Metal Stud for non-bearing partitions in

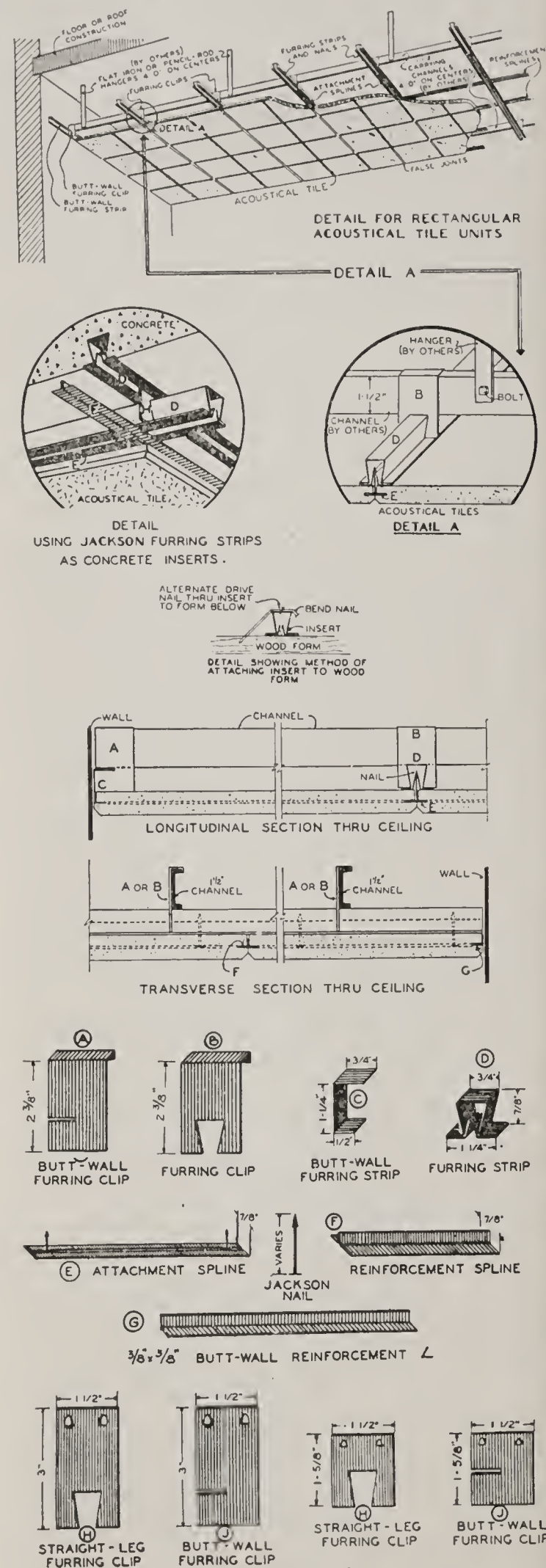


Fig. 1

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walls, but inasmuch as the data is not complete, the Committee at this time can make no recommendation.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the "Jackson System" (suspended ceiling system, and the furring strip embedded in concrete and used to support a ceiling or to provide attachment for masonry anchors and wall surfacing), *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on June 30, 1942, as they appeared in Bulletin No. 27, Vol. 27, are hereby corrected to read as follows:

THE RESOLUTION (195-42-SM)

WHEREAS, The Technicraft Company, Incorporated, owner, filed on March 12, 1942, an application with the Board of Standards and Appeals for approval of the material known as Lumiplast (Luminous Pigment to be used on exit signs); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 24, 1942.

Cal. No. 195-42-SM.

Subject: Lumiplast (Luminous pigment to be used on exit signs), approval of.

The Technicraft Company, Inc. of New York City, filed March 12, 1942 an application with the Board of Standards and Appeals for approval of "Lumiplast" luminous pigment to be used on exit signs and an electric light bulb colored red except for 15% of its area to be used to energize the paint, under the provisions of section 272, subdiv. 4 and 5, Labor Law, sections C26-279.0, C26-745.0 and C26-178.0,b Administrative Code.

This material is a paint with a base which becomes luminous in darkness after having been energized by daylight or by clear electric light bulbs. To provide the energy the applicant requests approval of an electric light bulb which is colored red as required except for a portion, approximately 15% of the area, which remains clear. This bulb is designed to fit into the socket so that this clear portion shines on the sign but is not visible to users of an exit. This luminous paint is intended to be used in the painting of the letters of new and existing exit signs so that these signs will glow when all lights are blacked out in an emergency. The basic pigments are 36 ounces of pigment to one gallon of clear lacquer or a paint of low acid content. On existing signs the paint will be added to the existing red letters. The paints are furnished in yellow-green and in blue color.

This luminous paint and the bulb used to energize it has been inspected and tested by the Committee on Tests of the Board and found to function so that a sign painted with it glowed in complete darkness.

Signs of this character are now required by the Office of Civilian Defense to be used over exits during black-outs. Laboratory reports of tests of luminous "exit" signs have been furnished by the applicant. Activation employed was from 15 and 25 watt bulbs. Three periods of time were used for activation with both sizes of bulbs, namely, five minutes, thirty minutes and one hour. The signs were conditioned for 48 hours in a dark room to completely deactivate any luminescence which might be present. They were then activated as described in a 100 ft. long dark room. The signs were placed on the wall at the end of this room, each sign shielded from the other signs. All signs were viewed from a distance of 100 ft. and showed a distinct brilliant glow clearly visible at this distance but not distinct as to legibility. The maximum distance for clear legibility was 45 ft. immediately after exposure. Signs exposed under a 25 watt lamp showed more glow than those exposed to a 15 watt lamp. The 30 min. exposure showed more glow than the 5 min., but there was little difference between the 30 min. and the 60 min. exposures. At the end of one hour the greatest distance the glow was visible was 80 ft. while the greatest for full legibility was 20 ft. This luminosity decreased with the passage of time without reenergizing so that after 10 hours the signs showed a glow at 7 ft. but legibility was only fair at one or two feet.

On the basis of the inspection and test by the Committee, the report of laboratory tests filed by the applicant and the requirements of the Office of Civilian Defense it is recommended that "Lumiplast" luminous pigment be approved for use on exit signs energized by bulbs colored red except for a 15% portion to be left clear, under C26-178.0,b for use in New York City under the provisions of Section 272, subdivisions 4 and 5, Labor Law, Section C26-279.0, C26-745.0, Administrative Code and Section 40, Multiple Dwelling Law, provided the containers of the pigment and the treated bulbs be labeled "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 195-42-SM," and provided further that the bulbs are so placed in the sockets as to have the uncolored portion reflect on the sign so not to nullify the exit sign requirements.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Lumiplast (Luminous Pigment to be used on exit signs), *on condition* that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

Correction—The words "that this approval shall be limited to the duration of the existing emergency", omitted in the Report of Committee on Tests.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on March 31, 1942, as they appeared in Bulletin No. 14, Vol. 27, are hereby corrected to read as follows:

* Correction—Address changed from 78-19 to 78-17 Albion avenue.

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219-42-A.

APPLICANT—Sidney L. Strauss, for General Bronze Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—78-17 Albion avenue, northwest corner of Queens boulevard (Block No. 1536, Lot No. 101), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (219-42-A)

WHEREAS, Sidney L. Strauss, for General Bronze Corporation, owner, filed on March 19, 1942, an appeal from the decision of the borough superintendent; premises 78-17 Albion avenue, northwest corner of Queens boulevard (Block No. 1536, Lot No. 101), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 1292-42, dated March 12, 1942, reads:

"1. The maintenance of an open flame in connection with welding, within floor area where spraying is conducted, is contrary to Rule 6.1.8, Board of Standards and Appeals, Spray Rules."

and

WHEREAS, the applicant states that the building is one story (35 ft.) in height; 180 ft. by 97 ft. in area; of Class 1 construction; located in business and unrestricted use districts; erected about 1910; used as a marble factory, 10 persons. It is proposed to be occupied as a machine shop, 60 persons; and

WHEREAS, the applicant contends that the building is constructed entirely of incombustible materials with a monitor type roof, and will be used exclusively for the fulfillment of defense contracts for the U. S. Army; that the complete open air area affords an ideal assembly line and in the process to be carried on it is required that arc welding be done in the open floor area, and it will be also necessary to do certain spraying in this floor area; that no welding will be done within a distance of 30 ft. from the front of the spray booths; that the process of manufacture requires that articles to be sprayed must be conducted into the spray booths supported from monorails and thence through the rear wall of the booths.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 1292-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the spray booths shall be located in relation to the locations where welding is to be carried on as indicated on plan filed with the borough superintendent as acted on on March 12, 1942 and that no open flame shall be permitted within 35 ft. of such spray booths; that the spray booths shall comply with the rules of the Board in all respects; that in all other respects, the building and occupancy shall comply with all other laws, rules and regulations applicable thereto.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;

Boiler making;

Brick, terra cotta or artificial stone works;

Forge shops;

Foundries;

Iron, steel, brass or copper works;

Machine shops;

Smelting;

Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RULES

Fire Drill Rules, Adopted By the Board of Standards and Appeals, October 5, 1923

(593-23-SR)

DEFINITION OF "FIRE DRILL."

The method and practice of the systematic and orderly evacuating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1.
In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to section 279 thereof and in any other building in which such drills are required by the Fire Commissioner pursuant to the power conferred in section 491 of the New York City Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenant shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified in the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION

Premises	
Name of concern.....	
Building No.....	Story.....

FOREMAN OR PERSON IN CHARGE

Regular	Substitute
---------------	------------------

WATCHMAN

MALE SEARCHER

FEMALE SEARCHER

STREET ALARM BOX RUNNER

FIRE BRIGADE

EXIT GUARDS

Exit.....	
"	
"	
"	
"	
"	

SQUAD MONITORS

.....	Squad No. 1.....
.....	" " 2.....
.....	" " 3.....
.....	" " 4.....
.....	" " 5.....
.....	" " 6.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization and give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captains) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET ALARM BOX RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

RULES

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the fire department, any fire that may occur. When it is necessary for the fire brigade to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire

alarm rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory and drills shall be conducted at least twice each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not participate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNER, LESSEE OR TENANT, who supervises the FIRE DRILL at the building shall submit to an examination by the Division of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

Rule 11. Duties of Engineer.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs requiring winding are rewound after each alarm and kept in normal condition for operation.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs, etc., are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation, co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

Copies of the Official Directory of the City of New York for the year 1942 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, five cents per copy must be added for postage.

This issue includes Nos. 32, 33, 34 and 35.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

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CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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704-41-BZ, 349-37-A, 407-42-A and 549-42-A.

Oil Burner Rules.

CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS

On July 30, 1942, petition and notice of motion was served on the Board by Samuel Mezansky, attorney for 45 West 38th Street Corporation, owner, in re decisions of the Board on March 31, 1942,—under Cal. No. 649-40-BZ, denying application under Section 21 to permit the extension of a factory occupancy in an existing building in excess of the allowable area,—under Cal. No. 180-42-S, denying variation of the labor law; premises 45-47 West 38th Street, Borough of Manhattan.

* * *

On August 11, 1942, Petition, Affidavit and Order to Show Cause was served on the Board by Arthur H. Haaren, attorney for Joseph Glicker, lessee, in re decision of the Board on July 28, 1942, granting appeal for revocation of Certificate of Occupancy brought by adjoining owner; Cal. No. 1098-41-A; premises 2050-2066 White Plains avenue, northeast corner of Bronxdale avenue and southeast corner of White Plains avenue and Brady avenue, Borough of The Bronx.

* * *

On August 18, 1942, Petition, Affidavit and Notice of Motion was served on the Board by Abraham Buchman, attorney for Emidio Milani, owner, in re decision of the Board on July 21, 1942, denying appeal from decision of the Borough Superintendent on Alteration Application No. 1119-1941, re provision of proper dual means of egress for two-family dwelling; Cal. No. 511-42-A; premises 1660 Hering avenue, Borough of The Bronx.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET

New Cases Filed from July 29th to August 25, 1942.

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602-42-A—F.D.—1121-1125 Bedford avenue, northeast corner of Monroe street (Block No. 1812, Lot No. 1), Borough of Brooklyn, 92379-L.C.

603-42-SA—Airco Acetylene Stationary Generator, 300 lb. and 500 lb. capacity, Appliance.

604-42-SM—Richards-Wilcox FyeR-Ward Fire Door, with Swinging and Sliding Fire Door Hardware, manufactured by Richards-Wilcox Manufacturing Company, Material.

605-42-A—F.D.—335-341 West 16th street, north side, 300 ft. east of Ninth avenue (Block No. 740, Lot No. 13), Borough of Manhattan, 15191-L.F.

606-42-A—H.B.Bx.—2020 East Tremont avenue, south side, 963.81 ft. east of Unionport road (Block No. 3944, Lot No. 1), Borough of The Bronx, F.P. Applic. 103-42.

607-42-BZ—H.B.M.—4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan, Decision re Certificate of Occupancy.

608-42-A—H.B.Q.—198 Beach 114th street, southeast corner of Rockaway Beach boulevard (Block No. 658, Lot No. 1), Rockaway Beach, Borough of Queens, Alt. 1341-42.

609-42-SA—Fire Warden Sand Box (Quartz Sand), Appliance.

610-42-BZ—H.B.B.—336-338 (340 displayed) New Jersey avenue, west side, 125 ft. north of Belmont avenue (Block No. 3738, Lot Nos. 30-31), Borough of Brooklyn, B.N. 296-42.

611-42-A—F.D.—83-93 Park place, north side, 42 ft. 2 in. west of Greenwich street and 248-254 Greenwich street (Block No. 129, Lot Nos. 3, 4, 5, 13 and 15), Borough of Manhattan, 31029-L.C. and Decision.

612-42-A—F.D.—Foot of Montague street (Bulkhead), Building No. 57 (Block No. 245, Lot No. 15), Borough of Brooklyn, 91604-L.C. and Decision.

613-42-A—F.D.—14-50 Broadway, south side, 50 ft. west of Van Alst avenue (Block No. 530, Lot No. 9), Astoria, Borough of Queens, 92458-L.C.

614-42-BZ—H.B.B.—161-177 Corbin place and 1189-1199 Brighton Beach avenue, northeast corner (Block No. 7516, Lot No. 2973), Borough of Brooklyn, B.N. 1487-42.

615-42-A—H.B.M.—1680 Broadway, east side, 104 ft. south of West 53rd street (Block No. 1024, Lot No. 38), Borough of Manhattan, Electric Sign Applic. 408-42.

616-42-BZ—H.B.B.—1238-1250 Coney Island avenue and 1013-1023 Avenue I, northwest corner (Block No. 6513, Lot Nos. 42 and 44), Borough of Brooklyn, N.B. 324-42.

617-42-BZ—H.B.Bx.—1979 East 177th street, northwest corner of Pugsley avenue (Block No. 3794, Lot No. 50), Borough of The Bronx, Amendment to N.B. 122-42.

618-42-A—H.B.Q.—38-12 27th street, north side, 85 ft. west of 38th avenue (Block No. 387, Lot Nos. 23 and 24), Long Island City, Borough of Queens, Alt. 1015-42.

619-42-A—H.B.Bx.—291 East Burnside avenue, northeast corner of Ryer avenue (Block No. 3149, Lot No. 6), Borough of The Bronx, Alt. 380-42.

620-42-S—H.B.M.—123 Pitt street, west side, 125 ft. north of Stanton street (Block No. 345, Lot No. 65), Borough of Manhattan, Alt. 926-42.

621-42-S—F.D.—158-166 North 4th street, south side, 150 ft. east of Bedford avenue and 159-165 North 3rd street (Block No. 2352, Lot Nos. 9, 10, 33, 38, 39 and 40), Borough of Brooklyn, Decision and 9308-L.F.

622-42-A—F.D.—635-639 Second avenue, northeast corner of 37th street (Block No. 695, Lot No. 1), Borough of Brooklyn, 92503-L.C.

623-42-A—F.D.—76-13 Woodside avenue, north side, 60.16 ft. west of 77th street (Block No. 1496, Lot No. 40), Elmhurst, Borough of Queens, 92537-L.C.

624-42-S—H.B.B.—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn, B.N. 1041-42.

625-42-BZ—H.B.B.—1183-1185 Myrtle avenue, north side, 117 ft. 6 in. west of Troutman street and 12 Troutman street (Block No. 3182, Lot Nos. 6, 8 and 16), Borough of Brooklyn, B.N. 1036-42.

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627-42-A—H.B.B.—216 Linwood street, west side, 100 ft. south of Arlington avenue (Block No. 3941, Lot No. 14), Borough of Brooklyn, Alt. 1548-42.

628-42-A—H.B.M.—383-387 Lafayette street and 22 East 4th street, southeast corner (Block No. 531, Lot No. 20), Borough of Manhattan, Alt. 944-42.

629-42-A—H.B.Q.—74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1487, Lot No. 23), Jackson Heights, Borough of Queens, Amendment to Alt. 1006-42.

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630-42-A—F.D.—105-109 Vanderveer street, west side, 300 ft. north of Bushwick avenue (Block No. 3471, Lot No. 30), Borough of Brooklyn, 89413-L.C. and Decision.

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635-42-A—H.B.B.—1688 St. Marks avenue, southeast corner of Rockaway avenue (Block No. 1461, Lot No. 11), Borough of Brooklyn, B.N. 1738-42.

636-42-A—H.B.Q.—179-29 153rd road, north side, 265.06 ft. east of Lombard street (Block No. 4661, Lot No. 10), Jamaica, Borough of Queens, Alt. 1172-42.

637-42-S—F.D.—184-10 Jamaica avenue, south side, 411.58 ft. east of 183rd street (Block No. 10532, Lot Nos. 70 and 71), Jamaica, Borough of Queens, Decision.

638-42-A—H.B.Q.—43-06 38th street and south side of 43rd (Foster) avenue, between 37th and 38th streets (Block No. 220, Lot No. 25), Long Island City, Borough of Queens, M-4389-42.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

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SEPTEMBER 9, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Wednesday morning, September 9, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

89-42-BZ—Application, January 29, 1942, under section 21 of the zoning resolution, of Joseph Lau, applicant, on behalf of Tov Realty Company, owner (David Morris, lessee), to permit in a business use district, the maintenance of a non-flashing illuminated sign not conforming with the requirements of the zoning resolution; premises 2517-2519 Seventh avenue and 164 West 146th street, southeast corner (Block No. 2014, Lot No. 61), Borough of Manhattan.

474-42-BZ—Application, June 15, 1942, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Temple Beth-El, owner, to permit in a residence use and, also, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution; premises 121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

530-42-BZ—Application, July 1, 1942, under section 7h of the zoning resolution, of Millard Henlein, applicant, on behalf of Board of Transportation, City of New York, owner (Abraham Goldenblum and Samuel Goldenblum, lessees), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 360-374 Sixth avenue, east side, from Washington place to Waverly place, 126-130 Waverly place and 87 Washington place (Block No. 552, Lot No. 37), Borough of Manhattan.

108-42-BZ—Application, February 5, 1942, under section 7h of the zoning resolution, of Judson E. Schnall, applicant, on behalf of Madbeck Holding Corporation, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 81-85 Seeley street, north side, 25 ft. west of 19th street (Block No. 5261, Lot No. 17, Borough of Brooklyn.

457-42-BZ—Application, June 5, 1942, under section 21 of the zoning resolution, of Bernhardt E. Muller, applicant, on behalf of Eighth Church of Christ, Scientist, owner, to

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permit in a residence use and, also, a B area district, the erection and maintenance of a building (a church) which does not comply with the rear yard requirements of the zoning resolution; premises 103-107 East 77th street, north side, 100 ft. east of Park avenue and 230 ft. west of Lexington avenue (Block No. 1412, Lot Nos. 5 to 7, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 9, 1942, 2 P. M.

Appeal from Administrative Decision.

562-42-A—72-35 Elizabeth avenue, south side, 320 ft. west of Beach 72nd street (Block No. 521, Lot No. 1), Arverne, Borough of Queens (under section 35, General City Law-re bed of mapped street—Barbados drive).

SEPTEMBER 15, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 15, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

559-37-BZ—Application of Samuels and Samuels, applicants, on behalf of Fellman Realty Corporation, owner, reopened April 28, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

542-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Hagan, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 936 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

684-28-BZ—Application of Lama and Proskauer, applicants, on behalf of John Feitner, owner, reopened May 20, 1941, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles on an existing gasoline service station; premises 740-744 5th avenue and 322-332 24th street, southwest corner (Block No. 652, Lot No. 39), Borough of Brooklyn.

192-36-BZ—Application of Kaye, Scholer, Fierman and Hays, applicants, on behalf of The Marguerite Corporation, owner, reopened September 9, 1941, under section 7a of the zoning resolution, to permit in a residence use district, the extension of an existing factory building; premises 801 Bartholdi street, northeast corner of Barnes avenue (Block No. 4633, Lot No. 11), Borough of The Bronx.

376-42-BZ—Application, May 7, 1942, under section 7i of the zoning resolution, of Edward Handelman, applicant, on behalf of Clinton Building Company, owner (Clinton Garage, Incorporated, lessee), to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of part of an existing building; said building is used in part as a garage for more than five (5) motor vehicles; premises 8-16 Clinton street, west side, 34 ft. 5 in. south of Fulton street (Block No. 238, Lot No. 52), Borough of Brooklyn.

264-32-BZ—Application of Lama and Proskauer, applicants, on behalf of New York Bonded Warehouse, Incorporated, owner (David Levine, lessee), reopened April 7, 1942, under sections 7c and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and also, the parking of more than five (5)

motor vehicles; premises 355-365 Kings Highway and 1741-1753 West 4th street, northeast corner (Block No. 6653, Lot No. 33), Borough of Brooklyn.

160-42-BZ—Application, February 20, 1942, under section 21 of the zoning resolution, of Oscar I. Silverstone, applicant, on behalf of Susan McPherson, owner, to permit in a residence use and F area district, the erection and maintenance of a one (1) family dwelling, not complying with the zone resolution as to required side yards and also, as to the occupied area of the lot; premises 3336 Bedford avenue, west side, 125 ft. south of Avenue L (Block No. 7642, Lot No. 52), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 15, 1942, 2 P. M.

Appeals from Administrative Decisions.

529-42-A—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn.

360-42-A—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

359-42-S—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

571-42-A—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens.

493-42-A—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

494-42-S—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

561-42-A—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

573-42-A—983 McDonald avenue, east side, 22 ft. south of Webster avenue (Block No. 5419, part of Lot No. 8), Borough of Brooklyn.

377-42-A—249-255 Varet street, north side, 175 ft. east of White street (Block No. 3110, Lot No. 28), Borough of Brooklyn.

378-42-A—257-261 Varet street, north side, 175 ft. 1 in. west of Bogart street (Block No. 3110, Lot No. 25), Borough of Brooklyn.

SEPTEMBER 29, 1942, 10 A. M.

Zoning Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 29, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

442-42-BZ—Application, May 28, 1942, under section 7i of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-20 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 29, 1942, 2 P. M.

Appeal from Administrative Decision.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (1st floor, front room); (Block No. 1198, Lot No. 23), Borough of Manhattan.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 28, 1942, as they appeared in Bulletin No. 31, Vol. 27, are hereby corrected to read as follows:

1098-41-A.

APPLICANT—Morris B. Kessler, for Leeds Realty Corporation, adjoining owner.

OWNER OF PREMISES—Standard National Corporation (Joseph Glicker, lessee).

SUBJECT—Appeal from a decision of the borough superintendent re Revocation of Certificate of Occupancy No. 192-41.

PREMISES AFFECTED—2050-2066 White Plains avenue, northeast corner of Bronxdale avenue and southeast corner of White Plains avenue and Brady avenue (Block No. 4284, Lot Nos. 5, 11, 13 and 15), Borough of The Bronx.

APPEARANCES—

For Applicant: Jean Scher.

For Opposition: A. H. Haaren.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted—Certificate of Occupancy No. 192-41 revoked.

THE VOTE TO GRANT, REVOKING CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum	3
Not Voting: Deputy Chief Murphy	1
Negative:	0

THE RESOLUTION (1098-41-A)

WHEREAS, Morris B. Kessler, for Leeds Realty Corporation, adjoining owner (Standard National Corporation, owner of premises and Joseph Glicker, lessee), filed on December 22, 1941, an appeal from a decision of the borough superintendent, refusing to revoke certificate of occupancy affecting premises Northeast corner of White Plains road and Bronxdale avenue (Block No. 4284, Lot Nos. 5, 11, 13 and 15), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated December 9, 1941, reads:

"Your letter of December 2, requesting the revocation of the certificate of occupancy for the use of the subject premises as a parking lot has been received.

Certificate of Occupancy 192-1941 was issued on the basis of affidavits presented by the applicant, that the parking lot has been established prior to June 28, 1935. It was based on this Department's interpretation of the decision of the Court of Appeals, in the case of Boardwalk and Seashore Corp. vs. Murdock. Once a certificate is issued we have no authority to revoke it. Application for revocation should be made to the Board of Standards and Appeals."

WHEREAS, the applicant states that the premises consist of a plot 252.19 ft. by 100 ft., irregular in area; located in business use district; and used for the parking of more than five (5) motor vehicles pursuant to Certificate of Occupancy No. 192 of 1941; and

WHEREAS, the applicant contends that the certificate of occupancy in question was issued by the borough superintendent on the grounds that affidavits were presented alleging that the parking lot had been established prior to June 28, 1935, and that such certificate was issued on the interpretation of the decision of the Court of Appeals on the matter of Boardwalk and Seashore Corp. vs. Murdock; that this case is no authority for the issuance of the certificate of occupancy, inasmuch as the original permit for parking lot was revoked subsequent to June 15, 1935; that the premises have not been used uninterruptedly and con-

tinuously since the enactment of the amended zoning restrictions in June, 1935 or subsequent amendments thereto; that on November 28, 1934, Permit No. 14028 was issued; that Permit No. 14163 was issued April 10, 1935; that these premises were used as a parking lot until March 27, 1939, when the aforesaid permits were revoked; that the opinion of Special Term in the Boardwalk case contemplated that a certificate of occupancy be issued in instances where premises were maintained and used uninterruptedly subsequent to the amendment of the zoning restrictions; that the state of facts existing in connection with the premises herein involved are not analogous to the state of facts existing in the Boardwalk case, since the premises herein involved had not been used for automobile parking lot since March 27, 1939, when the permits issued prior to 1935 were revoked; and

WHEREAS, the report of a committee of the Board recommended the granting of this appeal and the revocation of Certificate of Occupancy No. 192-41 and which report reads as follows:

REPORT OF COMMITTEE

July 28, 1942.

Re: Cal. No. 1098-41-A

Premises 2050-2066 White Plains Avenue, N. E. Corner of Bronxdale Avenue, S. E. Cor. Brady Avenue, Bronx, Block 4284, Lots 5, 11, 13 & 15.

This appeal is for revocation of a Certificate of Occupancy issued by the Borough Superintendent on November 17, 1941, numbered 192, for "parking of more than five motor vehicles". It was issued on the theory that the decision of the Court of Appeals in the matter of *Boardwalk and Seashore Corporation vs. Murdock* (266 N. Y. 494-1941) applied to the facts in this case, in that more than five cars were "parked" on this lot prior to the amendment to the Zoning Resolution adopted on June 28, 1935. Affidavits purporting to prove such use were filed with the Borough Superintendent. The amendment to the Zoning Resolution, adopted in June 1935, made parking of more than five motor vehicles a prohibited use in a business use district, in which this plot is located. Storage of more than five motor vehicles has been a prohibited use in a business use district since 1928 and by inference since 1916. As the general usage of terms has changed, the Zoning Resolution has been amended so as to continue the prohibition whether more than five cars were stored in a garage or on an open lot and whether termed "storage" or "parking".

Prior to 1935, the term "parking" had not appeared in the Zoning Resolution or the Administrative Code. The term "parking" is used in the Motor Vehicle Law as describing the standing of a motor vehicle on the street unattended. The public have come to use the term "parking" also as describing the placing of a motor vehicle on an open lot or in a garage. The amendment to the Zoning Resolution, in Section 4a, paragraph 15, in June 1935 was a recognition of the use of the term "parking" as equivalent to "storage" and to make "parking" as well as "storage" of more than five motor vehicles, whatever the difference might be in the shade of meaning, a prohibited use in a business use district. The need for this amendment was emphasized and made necessary by the decision of the Court of Appeals in *Monument Garage Corporation vs. Levy* (266 N. Y. 339-1935), in which the court said "there is a substantial distinction, clearly cognizable, between the meaning of 'storage' and 'parking'. One has a certain degree of permanency, while the other connotes transience". The court cited the Motor Vehicle Law as indicating the transient meaning of parking. After the amendment of 1935, there were several important decisions by the Court of Appeals, namely, *People vs. Wolfe* and *People vs. Kesbec*. These decisions appeared to confirm the principle that the use of a plot for commercial parking

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prior to the 1935 amendment did not furnish the basis for its continuance as a matter of right in a business or residence use district without a zoning variance from the Board. The decisions, however, in *Boardwalk and Seashore Corporation vs. Murdock* and *Bazinsky vs. Kesbec* have appeared to upset the generally accepted principle gleaned from the prior decisions referred to. Under those decisions and primarily due to the amendment of Section 6 by the addition of paragraph "b", the court decided that a transient parking use established prior to June 28, 1935, whether with or without a permit or certificate of occupancy, could continue provided it has been continuously maintained. The intent of the amendment of Section 6, paragraph "b", that the use should have been lawfully established, was apparently overlooked. An amendment to paragraph "b" of Section 6 is now before the Planning Commission to correct this seeming defect. Section 22 of the Zoning Resolution has always provided that the use of a building or premises to be *lawful* requires a certificate of occupancy. Whatever doubt there may have existed that the use of land without a building required no certificate of occupancy was happily cleared up by the Court of Appeals in its decision in *Monument Garage Corporation vs. Levy* early in 1935, when it determined that the Zoning Resolution applied also to the use of vacant land, thereby curing what had appeared to be a defect or omission in the original Enactment of the law.

The plot involved in the *Boardwalk and Seashore* case in Rockaway was occupied by a refreshment stand, formerly a part of an outdoor motion picture theatre, which burned down, and parking of the cars of the customers was permitted. The lot on Jerome Avenue, involved in the *Bazinsky vs. Kesbec* matter, is a storage lot operated in conjunction with a gasoline station. It was claimed that this Kesbec lot is transient parking only, just as is so claimed as to the lot in question, but the record belies the claim. While a certain distinction may exist between the meaning of the term "parking" as against the term "storage", it is very evident that there is no practical distinction when these terms are used in relation to a commercial parking lot. While "parking" is the term universally used, nevertheless within the law parking is storage. When a person places his car in a commercial parking lot and pays for the privilege, whether for a short space of time or under an agreement implied or otherwise by the day, week or month, there can be no distinction between this and placing it in a garage for safekeeping. All the elements of storage are present, i.e., safekeeping for hire. Storage has been interpreted by the courts in many instances. To permit storage under the guise of parking is contrary to the Zoning Resolution as amended in 1928.

The facts indicate that the first use of this plot for motor vehicles was for a sales car lot in November, 1934. In April 1935 a curb cut permit refers to the use as "vacant land for parking cars". Due to the confusion that existed at that time in the use of terms, it does not appear that this meant anything more than that the sale of cars was being continued, particularly as this use was discontinued and it was not until March 28, 1938 that an application was filed with the Borough Superintendent for "parking 150 cars". This was denied as contrary to zoning and on May 14, 1938, a certificate of occupancy was applied for for a "parking lot for five cars". No certificate was issued. A zoning violation was issued and instructions were given to the Highway Department to raise the curb formerly permitted for the sale of cars. Another application was then made for a "parking lot for more than five cars", again denied; application again made, again denied and a zoning violation issued #192 of 1938, dated December 21, 1938. Through 1939 the illegal use continued. A zoning violation resulted in a fine of \$25. by the Magistrate in March 1939 and again in October 1939. Various tenants

appear in the record for these years. Meanwhile, on August 2, 1938, an application was filed with the Board for a zoning variance for "parking and storage for more than five motor cars". This application was dismissed by the Board for lack of prosecution on January 31, 1939, restored to the Calendar on April 4, 1939, and denied on May 9, 1939, after a complete hearing and inspection. On May 26, 1940, a rehearing on allegedly new facts was denied. The minutes of these hearings, under Application 684-38-BZ, are part of the record in this present appeal for revocation. The decisions of the Board were not subject to court review.

The record in the Department of Housing and Buildings is replete with efforts to evade the law and to continue to operate the plot for so-called "parking" in spite of raising of curb cut, violations, fines by the Magistrate and denials of zoning variance by the Board. Taxes have remained unpaid. A tax lien was bought in by the city in 1934, totalling \$27,944.34, and since then taxes have accumulated to a total of (up to date) \$48,766.04 without interest. The present tenant, Glicker, one of the several tenants which have been involved, pays \$1,000. a year rental. This is now being paid to the Treasurer of the City of New York, who was appointed receiver on March 19, 1942. An action by the city is in process to take title by foreclosure.

The fact that the city is now receiving the rental on account of taxes should not be considered by this Board. If the certificate has been illegally issued, the city should not condone a continuance of an illegal use for its benefit.

The Board has had ample opportunity to determine from the facts presented and from study and observation that the use of this lot has been and is for the storage of motor vehicles, except for a short period prior to June 1935 when it may have been nominally used for the sale of used cars. The letters from applicants before the Board indicate clearly that in using the term "parking" they have meant storage and that it has been the intention and purpose to operate a commercial lot where cars are to be stored for a fee. It has been and is now operated as a commercial "so-called" parking lot where cars belonging to people in the surrounding area are placed for safekeeping, i.e., stored. The lot is in competition with nearby garages of ample capacity to accommodate the needs for storage although perhaps at a somewhat higher price. The fact that one garage nearby sought permission of the Board to change its second story to a bowling alley is one indication that the claim that the garages are filled to capacity is not correct.

In the opinion of the Committee, the facts here are readily distinguishable from those in the *Boardwalk and Seashore* plot at Rockaway Beach and that there was no basis to justify the issuance of Certificate of Occupancy #192 of 1941. The Committee recommends that this Certificate be revoked.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,
Committee.

Resolved, that the decision of the borough superintendent dated December 9, 1941 be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, revoking Certificate of Occupancy No. 192-1941.

* Correction—The names for appearances, corrected read "For applicant: Jean Scher and For Opposition: H. Haaren." The report of a committee of the Board was also inserted in the resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 7, 1942, as they appeared in Bulletin No. 28, Vol. 27, are hereby corrected to read as follows:

THE RESOLUTION (704-41-BZ)

WHEREAS, Max Horn, for Edward W. Stellges, owner, filed on July 31, 1941, an application under section 7h of the zoning resolution to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 127 Beach 67th street, west side, 161.78 ft. north of Boardwalk and 138 Beach 68th street (Block No. 360, Lot No. 85 and part of Lot No. 12), Arverne, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 7, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Beach 66th street, Beach 67th street and Boardwalk are in residence use districts; and

WHEREAS, the decision of the borough superintendent, dated July 9, 1941, re Misc. Appl. No. 6211-41, reads:

"1. The use of these premises for the parking of motor vehicles in a Residence district is contrary to Art. 2, Sec. 3 of the Zone Resolution.

Not further considered."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 102 ft. on Beach 68th street, 178 ft. on Beach 67th street and a distance of 202 ft. along the south lot line. It is proposed to use the premises for a term of two (2) years, for the parking of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years, to permit the premises on Beach 67th street with a frontage of approximately 175 ft. and a depth of 100 ft. to be occupied for the transient parking of motor vehicles to be mainly those who are customers of the adjoining bathhouse to the south located on the Boardwalk on Lot No. 1, Block 360 under same ownership; that the plot shall be leveled substantially to the grade of 67th street and shall be enclosed with a substantial fence along the interior lot lines and on the street line except for an opening to 67th street of not more than 15 ft. in width; that no signs shall be erected on the premises except that there may be a sign attached to the fence advertising the transient parking use and the rates charged; that this lot shall be under the operation of persons in charge of the adjoining bathhouse; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

*Correction—Address of premises changed from 137 Beach 67th street to 127 Beach 67th street.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 14, 1942, as they appeared in Bulletin No. 29, Vol. 27, are hereby corrected to read as follows:

349-37-A.

APPLICANT—A. H. Salkowitz, for Dr. Irving Michlin, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—2256 Bronx Park East, southeast corner of Thwaites place (Block No. 4337, Lot Nos. 24 and 25), Borough of The Bronx.

APPEARANCES—

For Applicant: Dr. Irving Michlin.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (349-37-A)

WHEREAS, A. H. Salkowitz, for Dr. Irving Michlin, owner, filed July 8, 1937, an appeal from a decision of the commissioner of buildings, affecting premises 2256 Bronx Park East, southeast corner of Thwaites place (Block No. 4337, Lot Nos. 24 and 25), Borough of The Bronx; and

WHEREAS, this appeal was granted by the Board July 16, 1937, on certain conditions, resolution amended October 17, 1939, and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 16, 1937, as amended October 17, 1939, only in so far as it has reference to the term of the permit so that as amended this portion of the resolution shall read:

"Granted for a term of five (5) years from the date of this amended resolution to permit . . ."

*Correction—Block No. changed from 4331 to 4337.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 28, 1942, as they appeared in Bulletin No. 31, Vol. 27, are hereby corrected to read as follows:

407-42-A.

APPLICANT—Arthur Weiser, for 28th Properties, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Estelle Weiser.

ACTION OF BOARD—Appeal withdrawn without argument at request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

*Correction—Calendar No. changed from 507-42-A to 407-42-A.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 23, 1942, as they appeared in Bulletin No. 31, Vol. 27, are hereby corrected to read as follows:

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THE RESOLUTION (549-42-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 9, 1942, an appeal from a decision of the borough superintendent, premises 94 Amity street, south side, 152 ft. west of Henry street (Block No. 295, Lot No. 17), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated July 1, 1942, re Alt. Applic. No. 1830-42, reads:

"1. As occupancy is being changed to one in which Art. 7 'Means of Egress' of the Building Code becomes operative, the exits are inadequate in the following respects:

- (a) Stairways to be 3'0" wide, Sec. 6.4.1.2.(b) 1.
 - (b) Doors to be 3'0" wide, Sec. 6.2.1.(a).
 - (c) Passageway to be 3'0" wide, Sec. 6.3.2.
 - (d) Stairs to be constructed of iron, Sec. 6.4.1.7.1.
 - (e) Stairway to be enclosed in approved 2-hour fire resistive partitions and doors in enclosure to be $\frac{3}{4}$ hour fireproof self-closing, Sec. 6.4.1.8.1.
 - (f) Stairway to extend to roof, Sec. 6.4.1.11.
2. Cellar ceiling to be fire retarded and cellar stairs to be fireproof enclosed."

and

WHEREAS, the building is three stories, basement and attic (50 ft.) in height; 25 ft. by 46 ft. in area; of Class 3 construction; erected prior to 1890; located in a residence-C area district; and occupied: cellar, heating; basement, one family; first, and second, floors, 1 family; 3rd and 4th floors, one family; proposed to be occupied: cellar, vacant; basement, bedrooms (hospital employees), 6 persons; 1st floor, classroom, 0 persons; 2nd, 3rd and 4th floors, bedrooms for nurses, 5, 5 and 3 persons, respectively; and

WHEREAS, the applicant contends that the building will be used by the hospital for employees who will pay no rent; that the building is located adjacent to other hospital property and will be supplied with steam, hot water and electric services from the main hospital power house; that no regular meals will be served or prepared on the premises, though facilities may be provided for making tea or other light refreshments; that iron balconies *or extension roof provide a second means of exit from all bedrooms* independent of the stairhall; and

WHEREAS, the applicant contends as to objection No. 1(a), that the stairways are 3 ft. 0 in. wide; except the stairway between the 3rd floor and attic, which is 2 ft. 8 in. wide; as to objection 1 (b), that doors from bedrooms are 2 ft. 8 in. wide or over; as to objection 1 (c), that the passageways are 3 ft. wide; as to objection 1 (d), the stairs are not constructed in accordance with Sec. 6.4.1.7.1, which applies to new buildings; that the stairs are now constructed of wood; that to require compliance with the Code would impose an undue hardship on the owner; that as to objection

No. 1 (e), the same contention applies as has been stated for 1 (d); that as to objection No. 1 (f), it is proposed to install a ladder from top of present stairs to new scuttle on the roof; that the ladder and attic stair will be enclosed in fire-resisting partition; that as to objection No. 2, it is proposed to comply with the requirement; that it is requested that the Board accept the proposed alterations and waive the objections of the borough superintendent.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1830-42, objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the cellar shall contain no heating plant and shall remain unused; that the cellar ceiling shall be fire-retarded in accordance with the rules of the Board; that the stairway in the cellar shall be enclosed with 4 in. terra cotta blocks with $\frac{3}{4}$ hour approved fireproof door; that the upper stories above the parlor floor shall be rearranged, as proposed on revised plan marked "Received July 9, 1942", so that from each room there is a doorway on which no locking device shall be provided, so as to be available at all times for free access and to provide two (2) means of exit from each room, one to the main hall and the second directly or indirectly to the fire escape which is on the rear of the building; that the ceiling under the roof of the rear extension shall be fire-retarded; that the fire escapes shall be arranged so as to cover two windows in all stories, with a drop-ladder to the yard and a gooseneck ladder to the roof; that all doors opening from rooms to the main hall shall remain self-closing; that such doors may be of wood, provided that rails and stiles are not less than $1\frac{1}{2}$ in. in thickness and maintained in good condition or replaced with fireproof doors approved for $\frac{3}{4}$ hour test; that on the stairs from the third floor to the attic the sides and soffit under such stairs shall be fire-retarded with wire lath and cement plaster; that such portable fire-fighting appliances shall be maintained where the fire commissioner shall direct; that the building shall not be increased in height or area; that the occupancy of the parlor floor for assembly purposes shall not exceed 20 persons; that there shall be constructed and maintained a scuttle from the top story to the roof; that a gong not less than 6 in. in diameter shall be installed on the first floor with push button on each floor to give an alarm in case of fire and *granted* only so long as the building is occupied as proposed and in accordance with the requirements of this resolution and operated as a part of Long Island College Hospital.

* Correction—The words "will be placed at all floors above the first floor connecting with the adjoining buildings under same ownership, so that all bedrooms will have a second means of egress" omitted in the resolution starting with line 39 and the words "*or extension roof provide a second means of exit from all bedrooms*" inserted therefor.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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OIL BURNER RULES

(217-21-SR)

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, December 4, 1936, and July 1, 1941.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; November 3, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932 and November 4, 1932.

Authority: Section 666, paragraph 2 of the New York City Charter.

Rule 1. Scope.

- 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.
- 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

- 2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:
- 2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.
- 2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.
- 2.4 BURNER: A device designed for the purpose of burning oil.
- 2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.
- 2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.
- 2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.
- 2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.
- 2.9 DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.
- 2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with under-

ground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

- 2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch ($\frac{1}{2}$ ") in diameter.
- 2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.
- 2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.
- 2.12 FIRE RETARDING MATERIALS:
 - 2.12.1 One-half ($\frac{1}{2}$) inch plaster boards, or asbestos boards, or three-eighths ($\frac{3}{8}$) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or
 - 2.12.2 Two thicknesses of one-quarter ($\frac{1}{4}$) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or
 - 2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters ($\frac{3}{4}$) inch thick.
 - 2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.
- 2.13 GROUND: An electrical conductor having capacity to absorb current.
- 2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.
- 2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in C19-2.0 of the Administrative Code and Rule 3.
- 2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.
- 2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.
- 2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

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- 2.19 **PERMANENT DEFORMATION:** Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.
- 2.20 **PERMIT:** Shall mean permit for storage of oil.
- 2.21 **PORTLAND CEMENT CONCRETE:** Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of C26-311.0 of the Administrative Building Code.
- 2.22 **PREHEATER:** A device designed for heating oil for the purpose of decreasing the viscosity.
- 2.23 **RELIEF VALVE:** A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.
- 2.24 **RELIEF LINE:** That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.
- 2.25 **REMOTE CONTROL:** A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.
- 2.26 **SCAVENGING LINE:** A line installed to permit the removal of water or foreign matter from a storage tank.
- 2.27 **SHOP FABRICATED:** Shall mean completely built in the shop of the tank manufacturer.
- 2.28 **SHUT-OFF VALVE:** A device that can be actuated to prevent the flow of liquid in a line of pipe.
- 2.29 **STORAGE CONTAINER:** Any container for oil connected to a burner or oil-burning heater and having a capacity of six (6) gallons or less.
- 2.30 **STORAGE TANK:** Any tank for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.
- 2.31 **STORAGE TANK, AUXILIARY:** Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.
- 2.32 **SUPPLY LINE:** That portion of the line between the storage tank and the pump oil inlet connection or hand valve. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection or hand valve.
- 2.33 **TEST WELL:** An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.
- 2.34 **TRANSFER PUMP:** An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.
- 2.35 **VENT PIPE:** That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

- 3.1 Oil permitted under these rules shall be any hydrocarbon oils free from acid, grit and fibrous or other foreign matter. The fuel oils shall be classified as provided in Commercial Standard CS12-38 U. S. Department of Commerce, and shall have a flash-point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester

(American Society for Testing Materials Method D-93-36) and marketed under the following commercial grades:

Range Oil	
No. 1 Fuel Oil	
No. 2	" "
No. 3	" "
No. 4	" "
No. 5	" "
No. 6	" "

- 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Standards For Approval of Oil Burners by the Board.

- 4.1 Approved burners, including oil-burning heaters, shall be an assembly of approved parts suitable for use with each other for the service intended, as approved, such burners shall be provided with suitable safeguards to prevent abnormal discharge of oil.
- 4.1.1 When assembled each burner shall be tested for defects and proper functioning throughout its operating range. Parts shall be so designed as to maintain alignments and to permit interchangeability.
- 4.1.2 The CO² in the flue gas shall be maintained at not less than 8% without smoking and throughout the operating range of the capacity of the burner when tested.
- 4.1.3 Flexible tubing used as an integral part of burner shall be not longer than 72 inches and of an approved type.
- 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.
- 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

- 5.1 **Cylindrical Tanks (except vertical tanks located outside of buildings above ground).**
- 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plate shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.
- 5.1.2 All tanks shall be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.

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- 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:

Tanks 36 in. in diameter and less— $\frac{1}{4}$ in. shell, $\frac{1}{4}$ in. heads.

Tanks 37 to 72 in. in diameter— $\frac{1}{4}$ in. shell, $\frac{5}{16}$ in. heads.

Tanks 73 to 120 in. in diameter— $\frac{5}{16}$ in. shell, $\frac{3}{8}$ in. heads.

Tanks over 120 in. in diameter to be of $\frac{3}{8}$ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

- 5.1.4 All cylindrical, oval or obround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they shall be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

- 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell $\frac{1}{4}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{1}{4}$ in. pitch.

In shell $\frac{5}{16}$ in. thick, $\frac{5}{8}$ in. in diameter rivets $2\frac{3}{8}$ in. pitch.

In shell $\frac{3}{8}$ in. thick, $\frac{3}{4}$ in. in diameter rivets $2\frac{1}{2}$ in. pitch.

5.2 Rectangular Tanks.

- 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than $\frac{5}{16}$ of an inch.

- 5.2.2 Corners may be made up by bending the plates or by use of angles.

- 5.2.3 Rivets in seams shall be $\frac{5}{8}$ of an inch in diameter and spaced not more than $2\frac{1}{4}$ inches center to center.

- 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

- 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

- 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

- 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine

thousand (9,000) pounds per square inch on the minimum net section.

- 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks

- 5.3.1 All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or less, except buried tanks, shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

- 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

- 5.3.3 All openings shall be through the top of the storage tank except that storage tanks of 275-gallons may be provided with a three-quarter inch ($\frac{3}{4}$ ") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

- 5.3.4 All buried storage tanks shall have a thorough coating on the outside of two coats of red lead protected by hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

- 5.3.5 Manholes; Tanks for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. need not have manholes; where used for such oils the manhole covers shall be bolted and made gastight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

- 5.4.1 Vertical tanks located outside of buildings above ground shall be built of steel plates of the quality required for cylindrical tanks.

- 5.4.2 The minimum thickness of shell or bottom plates shall be $\frac{1}{4}$ inch and the minimum thickness of roof plates $\frac{1}{8}$ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No.

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14 of the New York State Industrial Commission).

5.4.3 Roof plates shall have single riveted watertight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formulas for shell plates.

5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

5.5 Storage Containers.

5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings, Above Ground.

6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7') of clear unobstructed space measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall have an individual capacity of not more than two hundred and seventy-five (275) gallons capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.

6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4") of Portland cement concrete reinforced with not less than No. 20 gauge steel wire cloth 2" x 2" mesh, and extending at least four inches (4") beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.

Each storage tank may be placed in a protective enclosure having solid masonry walls not less than eight inches (8") in thickness and of dimension not less than fifteen inches (15") greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2') above the top of the tank. A fireproof access door shall be installed in the enclosure above the point

where the enclosure has a capacity equal to the tank; and for each additional 10 feet or fraction thereof by which the longest inside dimension of the enclosure exceeds 35 feet an additional fireproof access door shall be similarly installed at one or more intervals of not less than 10 feet. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.

6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

6.1.3.1 All buried storage tanks shall be constructed of metal not less than $\frac{1}{4}$ " in thickness.

6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Inside of Buildings, Below Ground.

6.2.1 Storage tanks having a capacity of 275 gallons or more may be buried inside a building with the top of the tank not less than two feet below floor level. In lieu of two feet of earth over the tank, the tank may be covered by concrete flooring equivalent to the basement floor but not less than the equivalent of 4 inches of reinforced Portland cement concrete with not less than No. 20 gauge steel wire cloth 2" x 2" mesh. Tanks shall be placed in firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch mesh. When necessary to prevent floating, tanks shall be securely anchored. Storage tanks buried below the floor, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust-resisting material.

6.2.2 Storage tanks buried below the floor shall not be less than $\frac{1}{4}$ " in thickness.

6.2.3 No tank shall be buried so as to be nearer than three feet to any foundation wall or foundation footing.

6.3 Outside of Buildings, Below Ground.

6.3.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2') below the natural grade of the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1") mesh. When necessary to prevent floating, tanks shall be securely anchored.

6.3.2 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.

6.3.3 All buried storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3.4 All buried storage tanks shall be constructed of metal not less than $\frac{1}{4}$ " in thickness.

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6.4 Outside of Buildings, Above Ground.

6.4.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter ($1\frac{1}{4}$) tank diameters and in no case less than ten feet (10') from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "
If distant 50 feet.....	48,000 "
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more	100,000 "

6.4.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half ($1\frac{1}{2}$) times the capacity of the tank so surrounded and shall be at least four feet (4') high but in no case higher than one-fourth ($\frac{1}{4}$) the height of the tank when the height of the tank exceeds sixteen feet (16'). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth; free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3') and a slope of at least one and one-half ($1\frac{1}{2}$) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. C-19-50.0 of the Administrative Code.

6.4.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.5 Tanks Located Along Line of Subways.

6.5.1 Along the line of subways no tank shall be placed within twenty feet (20') of any wall, separating a building from the subway, and, where practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

Rule 7. Piping.

7.1 Installation of Piping and Tubing.

7.1.1 Piping and tubing shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass

or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing unless protected against mechanical injury shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch ($\frac{3}{8}$ ") inside diameter up to shut-off valve at burner. Soldered connections are prohibited.

7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

7.2.2 Oil preheaters shall be of approved type and provided with a relief valve to prevent excessive oil pressure. Oil preheaters shall not be installed in the steam or water space of the boiler.

7.2.3 Relief valves shall be set to discharge at not more than one and one-half ($1\frac{1}{2}$) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

7.3.2.1 The area of the header and common vent shall be equal to the sum of the areas of the vent pipe.

7.3.3 Vents shall be not less than one and one-quarter inches ($1\frac{1}{4}$ ") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than $\frac{1}{2}$ inch in diameter and may be run into the storage tank vent.

7.3.4 Vent pipes shall be provided with weather-proof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than two feet (2') and when more than twelve feet (12') above the fill pipe terminal there shall be provided an independent 1" tell-tale run from tank to fill box. When such openings are fixed and constructed of incombustible materials they shall not be deemed openings within the intent of this rule. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such tell tale lines shall be provided with a check valve set to prevent flow of surface water to storage tank.

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7.4 Fill Pipes.

- 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least two feet (2') of any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.
- 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of common header pipe is no smaller than the largest branch fill pipe. When different grades of oil are piped to separate tanks from a common fill line, each branch fill pipe shall be provided with a shut-off valve.
- 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.
- 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than $\frac{1}{8}$ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

- 7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils or electric heaters approved for oil storage tanks.

7.6 Scavenging Line.

- 7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

- 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

- 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.

- 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

- 8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

- 8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

- 8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

- 8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:

Temperature control	
Ignition	"
Stack or	
Combustion	"
Pressure	"
Gravity	"

- 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

- 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

- 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the inter-

RULES

ruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

- 9.1 All tanks located inside of buildings shall be provided with an oil level indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.
- 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.
- 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspection and Tests of Storage Tanks and Piping.

10.1 Permits.

- 10.1.1 No oil installation of more than six (6) gallons' capacity shall be operated until after a permit has been issued by the Fire Commissioner.
- 10.1.2 Applications for permit shall be made by the installer who holds a certificate of license issued by the Fire Commissioner on forms furnished by the Fire Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Borough Superintendent of Buildings when required under Rule 10.2.
- 10.1.3 No permit shall be issued by the Fire Commissioner until the installation has been inspected by his representative and the installer has furnished an affidavit that the CO₂ content of the flue gas by actual test of the completed installation is not less than 8 per cent without smoking.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

- 10.2.1 The installer shall file with the Borough Superintendent of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or outside of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to the Fire Commissioner by the Borough Superintendent of Buildings before any work is started. All such plans shall show compliance with all structural requirements and shall show all salient features of the installation. Plans shall also be approved by the Board of Transportation for all tanks

located in or outside of buildings along the line of subways under the limitation in Rule 6.5.1.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

- 10.3.1 Storage tanks of approved type and not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes in installations in multiple dwellings, places of public assembly and amusement, except that no tests shall be required for installations in occupancies not specifically mentioned herein.

- 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

- 10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and piping connected thereto, twenty-five (25) pounds per square inch.

- 10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Commissioner. The contractor shall furnish all necessary equipment for conducting tests. Such test may be made with oil in freezing weather for tanks located outside of building.

- 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

- 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

- 10.3.5 All piping conveying oil from a transfer pump to a burner subjected to a pressure in excess of 50 lbs. per sq. inch shall be tested for a pressure of 1½ times the working pressure.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

- 10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit shall be paid in accordance with the schedule given in the Administrative Code.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

- 11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be

RULES

reported by installer to the Fire Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by the Administrative Code.

Rule 12. Ventilation.

- 12.1 No burner shall be installed in any boiler, heater, range or stove unless each boiler, heater, range or stove be connected with a separate flue in a legal chimney, complying with Article 11 of the Administrative Building Code except that in high pressure mercantile and industrial plants several units may be connected to a boiler room stack.
- 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.
- 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time, and on all installations in one and two family dwellings an approved automatic draft control of the same size as the cross-sectional area of the pipe or breaching shall be installed in the breaching or flue pipes.

Rule 13. Automatic Pumps.

- 13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

NOTE: In order that the intent of Local Law No. 145 be carried out, Section C26-693.0, sub. d, par. 1, 2, 3, is superseded by the following:

- 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by $\frac{1}{4}$ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.
- 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four inches (24"). Where such parts are insulated by two inches (2") of asbestos, or equivalent, the clear distance shall be not less than twelve inches (12"), or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.
- 14.3 No movable combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.
- 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

- 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

- 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of $\frac{1}{2}$ " asbestos or equivalent extending at least twelve inches (12") beyond the projected area of such device where required within the specific approval of each burner. Approved safety cans only shall be used for the storage and filling of oil containers. The fuel oil used for these burners shall be range oil or No. 1 or No. 2 fuel oil. The manufacturer or installer of these burners shall within 48 hours after each installation notify the Fire Department in writing of the name of the person to whom this burner is sold and the address of the premises where installed.

- 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

- 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.
- 15.2 Every heating system in which the oil is preheated or systems not fully automatic when operating, shall be under the direct supervision of a person holding a certificate of fitness issued by the Fire Commissioner and who shall be in the building at all times while the burners are in operation, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman issued after May 1, 1941 under the provisions of C26-213.0 of the Administrative Building Code, or a person with such license issued prior to May 1, 1941 carrying an endorsement reading "Oil Burners" shall not be required to obtain such certificate.

Rule 16. Modification.

- 16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

- 17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 36

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

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Docket.

Rules Directory.

The Hearing Calendar.

Paint, Varnish and Lacquer Spraying Rules.

Copies of the Official Directory of the City of New York for the year 1942 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts, are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, five cents per copy must be added for postage.

CALENDAR

DOCKET

New Cases Filed up to September 1, 1942.

Cal. No.	Dept.	Premises Affected
639-42-A	F.D.	41-03 to 41-09 36th street, north side, 25 ft. east of Skillman avenue, 36-16 Skillman avenue and 41-02 to 41-26 37th street (Block No. 217, Lot Nos. 15, 17, 31 and 38), Long Island City, Borough of Queens, 8454-L.F. and Decision.
640-42-S	H.B.B.	288 Flushing avenue, south side, 50 ft. 4 in. west of Steuben street (Block No. 1878, Lot No. 29), Borough of Brooklyn, B.N. 830-42.
641-42-S	F.D.	13 Christopher avenue, east side, 103 ft. 2 in. south of East New York avenue (Block No. 3676, Lot No. 5), Borough of Brooklyn, 8398-L.F. and Decision.
642-42-A	H.B.M.	71 Hudson street, west side, 60 ft. 3 in. north of Jay street (6th floor); (Block No. 180, Lot No. 3), Borough of Manhattan, Alt. 193-42.
643-42-A	F.D.	Foot of Conover street, 20 ft. west of Reid street, Pier No. 44, East River (Block No. 595, Lot No. None), Borough of Brooklyn, 8857-L.F. and Decision.
644-42-A	H.B.Q.	601, 605 and 609 Beach 9th street, west side, 246.89 ft. south of Caffrey avenue (Block No. 111, Lot Nos. 20 and 3), Far Rockaway, Borough of Queens, A-644-42, Applic. 829-42 and Applic. 830-42.
645-42-A	F.D.	212-214 Water street, west side, 87 ft. 4 in. south of Beekman street (Block No. 95, Lot No. 3), Borough of Manhattan, 15483-L.F.
646-42-S	H.B.B.	1882-1884 86th street and 8602-8612 19th avenue, southwest corner (2nd floor); (Block No. 6371, Lot No. 53), Borough of Brooklyn, Alt. 2496-42.
647-42-BZ	H.B.R.	394 Henderson avenue, south side, 350 ft. east of Bard avenue (Block No. 102, Lot No. 92), West New Brighton, Borough of Richmond, Alt. 161-42.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Certificates of Occupancy, approved form	Nov. 25, 1941—Vol. 26, No. 47
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Factory Exit Rules	June 16, 1942—Vol. 27, No. 24
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Vacuum Breakers	Nov. 25, 1941—Vol. 26, No. 47A

SEPTEMBER 9, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, Wednesday morning, September 9, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

89-42-BZ—Application, January 29, 1942, under section 21 of the zoning resolution, of Joseph Lau, applicant, on behalf of Tov Realty Company, owner (David Morris lessee), to permit in a business use district, the maintenance of a non-flashing illuminated sign not conforming with the requirements of the zoning resolution; premises 2517-2519 Seventh avenue and 164 West 146th street, southeast corner (Block No. 2014, Lot No. 61), Borough of Manhattan.

474-42-BZ—Application, June 15, 1942, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Temple Beth-El, owner, to permit in a residence use and also, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution; premises 121-03 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

530-42-BZ—Application, July 1, 1942, under section 71 of the zoning resolution, of Millard Henlein, applicant, on behalf of Board of Transportation, City of New York, owner (Abraham Goldenblum and Samuel Goldenblum lessees), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 360-374 Sixth avenue, east side from Washington place to Waverly place, 126-130 Waverly place and 87 Washington place (Block No. 552, Lot No. 37), Borough of Manhattan.

CALENDAR

108-42-BZ—Application, February 5, 1942, under section 7h of the zoning resolution, of Judson E. Schmalt, applicant, on behalf of Madbeck Holding Corporation, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 81-85 Seeley street, north side, 25 ft. west of 19th street (Block No. 5261, Lot No. 17, Borough of Brooklyn.

457-42-BZ—Application, June 5, 1942, under section 21 of the zoning resolution, of Bernhardt E. Muller, applicant, on behalf of Eighth Church of Christ, Scientist, owner, to permit in a residence use and, also, a B area district, the erection and maintenance of a building (a church) which does not comply with the rear yard requirements of the zoning resolution; premises 103-107 East 77th street, north side, 100 ft. east of Park avenue and 230 ft. west of Lexington avenue (Block No. 1412, Lot Nos. 5 to 7, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 9, 1942, 2 P. M.

Appeal from Administrative Decision.

562-42-A—72-35 Elizabeth avenue, south side, 320 ft. west of Beach 72nd street (Block No. 521, Lot No. 1), Arverne, Borough of Queens (under section 35, General City Law-re bed of mapped street—Barbados drive).

SEPTEMBER 15, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 15, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

559-37-BZ—Application of Samuels and Samuels, applicants, on behalf of Fellman Realty Corporation, owner, reopened April 28, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

542-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Haganman, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 936 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

584-28-BZ—Application of Lama and Proskauer, applicants, on behalf of John Feitner, owner, reopened May 20, 1941, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles on an existing gasoline service station; premises 740-744 5th avenue and 322-332 24th street, southwest corner (Block No. 652, Lot No. 39), Borough of Brooklyn.

192-36-BZ—Application of Kaye, Scholer, Fierman and Hays, applicants, on behalf of The Marguerite Corporation, owner, reopened September 9, 1941, under section 7a of the zoning resolution, to permit in a residence use district, the extension of an existing factory building; premises 801 Bartholdi street, northeast corner of Barnes avenue (Block No. 4633, Lot No. 11), Borough of The Bronx.

376-42-BZ—Application, May 7, 1942, under section 7i of the zoning resolution, of Edward Handelman, applicant, on behalf of Clinton Building Company, owner (Clinton Garage, Incorporated, lessee), to permit partly in a business use district and partly in a residence use district, the con-

version of occupancy of part of an existing building; said building is used in part as a garage for more than five (5) motor vehicles; premises 8-16 Clinton street, west side, 34 ft. 5 in. south of Fulton street (Block No. 238, Lot No. 52), Borough of Brooklyn.

264-32-BZ—Application of Lama and Proskauer, applicants, on behalf of New York Bonded Warehouse, Incorporated, owner (David Levine, lessee), reopened April 7, 1942, under sections 7c and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and also, the parking of more than five (5) motor vehicles; premises 355-365 Kings Highway and 1741-1753 West 4th street, northeast corner (Block No. 6653, Lot No. 33), Borough of Brooklyn.

160-42-BZ—Application, February 20, 1942, under section 21 of the zoning resolution, of Oscar I. Silverstone, applicant, on behalf of Susan McPherson, owner, to permit in a residence use and F area district, the erection and maintenance of a one (1) family dwelling, not complying with the zone resolution as to required side yards and also, as to the occupied area of the lot; premises 3336 Bedford avenue, west side, 125 ft. south of Avenue L (Block No. 7642, Lot No. 52), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 15, 1942, 2 P. M.

Appeals from Administrative Decisions.

529-42-A—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn.

360-42-A—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

359-42-S—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

571-42-A—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens.

493-42-A—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

494-42-S—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

551-42-A—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

573-42-A—983 McDonald avenue, east side, 22 ft. south of Webster avenue (Block No. 5419, part of Lot No. 8), Borough of Brooklyn.

377-42-A—249-255 Varet street, north side, 175 ft. east of White street (Block No. 3110, Lot No. 28), Borough of Brooklyn.

378-42-A—257-261 Varet street, north side, 175 ft. 1 in. west of Bogart street (Block No. 3110, Lot No. 25), Borough of Brooklyn.

SEPTEMBER 22, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 22, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

517-39-BZ—Application of Thomas I. Sheridan, applicant and owner, reopened May 7, 1940, under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26 inclusive and Lot No. 30), Astoria, Borough of Queens.

106-42-BZ—Application, February 5, 1942, under sections 7h and 21 of the zoning resolution, of Frank C. Keller, applicant on behalf of Louise Hanman, owner (Marie C. Schriber, executrix), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 23-16 Sound street, west side, 100.06 ft. north of Astoria boulevard (Block No. 781, Lot Nos. 33-37), Astoria, Borough of Queens.

363-42-BZ—Application, May 5, 1942, under sections 7e and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adey, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

365-42-BZ—Application, May 5, 1942, under sections 7h and 21 of the zoning resolution, of Arnold W. Lederer, applicant on behalf of Isadore Cohen, owner (Joseph L. Hoffman, lessee), to permit partly in a residence use district and partly in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2910-2922 Nostrand avenue, west side, 128 ft. 8 in. south of Kings Highway (Block No. 7690, Lot No. 54), Borough of Brooklyn.

539-42-BZ—Application, July 6, 1942, under section 7h of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor

vehicles; premises 244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

648-42-BZ—Application, August 31, 1942, under sections 7c and 21 of the zoning resolution, of Frank Randazzo, applicant on behalf of Charles Arnoldson, owner, to permit in a business use district, the conversion of occupancy of a public garage (previously granted by the Board) to the manufacture of ferrous and non-ferrous metal products, with occasional welding incidental to said manufacture; premises 28-30 Quincy street, south side, 125 ft. 4 in. west of Classon avenue (Block No. 1972, Lot No. 17), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 29, 1942, 10 A. M.

Zoning Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 29, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:*

442-42-BZ—Application, May 28, 1942, under section 7c of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

SEPTEMBER 29, 1942, 2 P. M.

Appeal from Administrative Decision.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (1st floor, front room); (Block No. 1198, Lot No. 23), Borough of Manhattan.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932
AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, subdivisions 2 and 3 of the Charter of the City of New York, to effectuate the provisions of C19-84.0, C19-85.0 and C19-86.0 of the Administrative Code.

Rule 1. Application.

- 1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Commissioner may modify or waive these rules.
- 1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Borough Superintendent of Buildings before a permit is issued.
- 1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:
 - 1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.
 - 1.3.2 Which is artificially lighted by any means other than electricity.
 - 1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

- 2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.
- 2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped, spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing fireproof doors.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Section C19-14.0 of the Administrative Code and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Commissioner, to store and use materials covered by Sections C19-12.0 and C19-84.0 of the Administrative Code and these Rules.

Rule 3. Ventilation.

- 3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors.

RULES

- 3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.
- 3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

- 4.1 Spray booths shall be constructed of metal or incombustible materials satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.
- 4.1.1 Spray, dip and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.
- 4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch ($\frac{1}{4}$) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48") inches in any linear dimension may be used in the sides of a spray booth or room.
- 4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.
- 4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.
- 4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.
- 4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.
- 4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

- 4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.
- Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

- 4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.
- 4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter ($\frac{1}{4}$ ") inch.
- 4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.
- 4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.
- 4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.
- 4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.
- 4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.
- 4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.
- 4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motor of the totally enclosed type, having no brushes make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the administrative official having jurisdiction.
- 4.4.1 Artificial lighting shall be only by means of electricity.
- 4.5 LIGHTING FIXTURES.
- 4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

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- 4.5.2 All electrical equipment shall be installed and grounded as provided by the Administrative Code covering electrical equipment and permanently connected to their source of current supply, using metallic conduit.
- 4.5.3 No pin plug receptacles shall be used.
- 4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.
- 4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

- 5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.
- 5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.
- 5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.
- 5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.
- 5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.
- 5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.
- 5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.
- 5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.
- 5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.
- 5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.
- 5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.
- 5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

- 6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:
 - 6.1.1 Spraying materials not in excess of 20 gal-

lons may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

- 6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.
- 6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official having jurisdiction. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproofed up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.
- 6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.
- 6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.
- 6.1.6 Gravity feed material containers for supplying spray guns shall not exceed ten gallons in capacity and shall be supported by wire cables or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.
- 6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.
- 6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

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6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Section C19-113.0, subdivision h of the Administrative Code.

6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.

6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Administrative Code as to violations reading as follows:

Section C19-152.0 of the Administrative Code, "Any person who shall willfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than \$500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

- (a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.
- (b) No combustible materials shall be stored or maintained within 15 feet of any spray booth.
- (c) All stocks shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

- Rule 1.3 Heating of Rooms.
- Rule 3.1 Air Exhaust System.
- 3.2 Air Supply and Mixing.
- Rule 4.1 Construction of Spray Booths.
 - 4.1.3 Surfacing of Booths.
 - 4.1.5 Surfacing of Booths.
 - 4.2.2 Maintenance of Ducts.
 - 4.2.5 Electric Lighting.
 - 4.2.6 Method of Induced Draft.
 - 4.4 Separation of Booth from Flame.
 - 4.4 Location of Motors.
- Rule 5.1 Certificate of Fitness.
- 5.2 Smoking, Matches, etc.
- 5.6 Maintenance of Equipment.
- 5.7 Cleaning Implements.
- 5.9 Fire Appliances.
- 5.10 Accumulation and disposal of waste materials.
- 5.12 Motor Vehicles in booths or rooms.
- Rule 6. Storage and Mixing.
- Rule 7. General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

NOTICE

WARNING

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Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 37

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS

On August 24, 1942, petition and order of certiorari was served on the Board by Joseph M. Lonergan, attorney for Anna Hannigan, objector to an application granted by the Board under Section 7i of the building zone resolution, for the term of the present war emergency and for one year thereafter, to permit the existing premises to be occupied in addition to the present permitted use, as granted by the Board under Cal. No. 318-42-A, for the reconstruction, readaptation and repair of motor vehicles other than those dealt in by the agency; Cal. No. 425-42-BZ; premises 139-29 Hillside avenue, north side, 103.40 ft. west of 143rd street, Jamaica, Borough of Queens.

* * * *

On September 3, 1942, order and petition was served on the Board by Rubinton & Coleman, attorneys for Etta Tarnapal and Fannie Flax (Thrift Auto Parking), lessees and objectors in an appeal filed by adjoining owners, which appeal was granted by the Board, revoking Certificate of Occupancy No. 104904; Cal. No. 311-42-A; premises 5501-5523 Sixth avenue, Borough of Brooklyn.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department, and **F.D.**—Fire Department.

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SEPTEMBER 15, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 15, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

539-37-BZ—Application of Samuels and Samuels, applicants, on behalf of Fellman Realty Corporation, owner, reopened April 28, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

542-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Haganman, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 936 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

530-42-BZ—Application, July 1, 1942, under section 7h of the zoning resolution, of Millard Henlein, applicant, on behalf of Board of Transportation, City of New York, owner (Abraham Goldenblum and Samuel Goldenblum, lessees), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 360-374 Sixth avenue, east side, from Washington place to Waverly place, 126-130 Waverly place and 87 Washington place (Block No. 552, Lot No. 37), Borough of Manhattan.

684-28-BZ—Application of Lama and Proskauer, applicants, on behalf of John Feitner, owner, reopened May 20, 1941, under sections 7c and 21 of the zoning resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles on an existing gasoline service station; premises 740-744 5th avenue and 322-332 24th street, southwest corner (Block No. 652, Lot No. 39), Borough of Brooklyn.

192-36-BZ—Application of Kaye, Scholer, Fierman and Hays, applicants, on behalf of The Marguerite Corporation, owner, reopened September 9, 1941, under section 7a of the zoning resolution, to permit in a residence use district, the extension of an existing factory building; premises 801 Bartholdi street, northeast corner of Barnes avenue (Block No. 4633, Lot No. 11), Borough of The Bronx.

376-42-BZ—Application, May 7, 1942, under section 7i of the zoning resolution, of Edward Handelman, applicant, on behalf of Clinton Building Company, owner (Clinton Garage, Incorporated, lessee), to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of part of an existing building; said building is used in part as a garage for more than five (5) motor vehicles; premises 8-16 Clinton street, west side, 34 ft. 5 in. south of Fulton street (Block No. 238, Lot No. 52), Borough of Brooklyn.

264-32-BZ—Application of Lama and Proskauer, applicants, on behalf of New York Bonded Warehouse, Incorporated, owner (David Levine, lessee), reopened April 7, 1942, under sections 7c and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and also, the parking of more than five (5) motor vehicles; premises 355-365 Kings Highway and 1741-1753 West 4th street, northeast corner (Block No. 6653, Lot No. 33), Borough of Brooklyn.

160-42-BZ—Application, February 20, 1942, under section 21 of the zoning resolution, of Oscar I. Silverstone, applicant, on behalf of Susan McPherson, owner, to permit in a residence use and F area district, the erection and maintenance of a one (1) family dwelling, not complying with the zone resolution as to required side yards and also, as to the occupied area of the lot; premises 3336 Bedford avenue, west side, 125 ft. south of Avenue L (Block No. 7642, Lot No. 52), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 15, 1942, 2 P. M.

Appeals from Administrative Decisions.

529-42-A—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn.

360-42-A—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

359-42-S—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

571-42-A—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens.

493-42-A—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

494-42-S—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

561-42-A—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

573-42-A—983 McDonald avenue, east side, 22 ft. south of Webster avenue (Block No. 5419, part of Lot No. 8), Borough of Brooklyn.

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377-42-A—249-255 Varet street, north side, 175 ft. east of White street (Block No. 3110, Lot No. 28), Borough of Brooklyn.

378-42-A—257-261 Varet street, north side, 175 ft. 1 in. west of Bogart street (Block No. 3110, Lot No. 25), Borough of Brooklyn.

SEPTEMBER 18, 1942, 10 A. M.

Appeals from Administrative Decisions.

655-42-A—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.

656-42-S—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.

SEPTEMBER 22, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 22, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

517-39-BZ—Application of Thomas I. Sheridan, applicant and owner, reopened May 7, 1940, under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26 inclusive and Lot No. 30), Astoria, Borough of Queens.

106-42-BZ—Application, February 5, 1942, under sections 7h and 21 of the zoning resolution, of Frank C. Keller, applicant on behalf of Louise Hauman, owner (Marie C. Schriber, executrix), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 23-16 Sound street, west side, 100.06 ft. north of Astoria boulevard (Block No. 781, Lot Nos. 33-37), Astoria, Borough of Queens.

363-42-BZ—Application, May 5, 1942, under sections 7e and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adey, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

365-42-BZ—Application, May 5, 1942, under sections 7h and 21 of the zoning resolution, of Arnold W. Lederer, applicant on behalf of Isadore Cohen, owner (Joseph L. Hoffman, lessee), to permit partly in a residence use district and partly in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2910-2922 Nostrand avenue, west side, 128 ft. 8 in. south of Kings Highway (Block No. 7690, Lot No. 54), Borough of Brooklyn.

539-42-BZ—Application, July 6, 1942, under section 7h of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

648-42-BZ—Application, August 31, 1942, under sections 7c and 21 of the zoning resolution, of Frank Randazzo, applicant on behalf of Charles Arnoldson, owner, to permit in a business use district, the conversion of occupancy of a public garage (previously granted by the Board) to the manufacture of ferrous and non-ferrous metal products, with occasional welding incidental to said manufacture; premises 28-30 Quincy street, south side, 125 ft. 4 in. west of Classon avenue (Block No. 1972, Lot No. 17), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 22, 1942, 2 P. M.

Appliance and Materials for Approval.

954-38-SA—National Pumps Corporation's Gasoline Pumps, Models A-38, B-38, C-38 and CC-38.

1367-39-SM—Corkoustic.

10-40-SM—Forest Hills Concrete Block Company, Incorporated, Concrete and Cinder Blocks.

569-40-SM—Blue Ridge Corporation's Glass.

SEPTEMBER 29, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provision of the zoning resolution, *Tuesday morning, September 29, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

442-42-BZ—Application, May 28, 1942, under section 7e of the zoning resolution, of Henry C. Brockman, applicant on behalf of Gulf Oil Corporation, owner, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

477-42-BZ—Application, June 16, 1942, under section 7 of the zoning resolution, of Paul Friedman, applicant, on behalf of Rose Rosenthal, Mollie Rosenthal, Mary Rosenthal and Paul Klindworth, owners (Harry Langbaum, d/b/a Cameo Motors, lessee), to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles upon a plot used in part for the display and sale of used cars; premises 1287-1291 Coney Island avenue, east side, 320 ft. south of Avenue (Block No. 6704, Lot Nos. 69 to 72, inclusive and part of Lot No. 73), Borough of Brooklyn.

291-42-BZ—Application, April 7, 1942, under section 2 of the zoning resolution, of Engadine Holding Corporation, applicant and owner, to permit in a residence use and, also, two (2) times height district, the maintenance of a glass enclosure on the 31st story of the existing (hotel) building; this enclosure is contrary to section 26 of the multiple dwelling law as the height of the building exceeds 178 feet and, also, contrary to the height regulations of the zoning resolution; premises 50-56 West 59th street, south side, 1 ft. east of Sixth avenue and 1430-1436 Sixth avenue (Block No. 1274, Lot No. 71), Borough of Manhattan.

498-42-BZ—Application, June 18, 1942, under section 7 of the zoning resolution, of Sidney Rossman, applicant, on behalf of Ella Morris, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 733-735 McDonald avenue, east side, 160 ft. north of Ditmas avenue (Block No. 5385, Lot No. 62), Borough of Brooklyn.

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504-42-BZ—Application, June 23, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Lenfred Realty Corporation, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 42-46 (48-50 displayed) St. Paul's place, west side, 53 ft. 6½ in. north of Crooke avenue (Block No. 5059, Lot Nos. 40-42), Borough of Brooklyn.

510-42-BZ—Application, June 25, 1942, under section 7f of the zoning resolution, of Lewis S. Amster, applicant, on behalf of Elizabeth Thornton, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 191-195 City Island avenue and 102-110 Winter street, southwest corner (Block No. 5626, Lot No. 360), Borough of The Bronx.

408-42-BZ—Application, May 19, 1942, under section 21 of the zoning resolution, of S. Walter Katz, applicant, on behalf of The Gerry Estates, Incorporated, owner (I. A. Managament Corporation, lessee), to permit in a building located in a restricted retail use district, a proposed occupancy of 25% manufacturing on the 2nd to 7th stories; premises 65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

Appeal From Administrative Decision.

401-42-S—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 29, 1942, 2 P. M.

Appeal from Administrative Decision.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (1st floor, front room); (Block No. 1198, Lot No. 23), Borough of Manhattan.

OCTOBER 6, 1942, 10 A. M.

Zoning Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, October 6, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:*

474-42-BZ—Application, June 15, 1942, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Temple Beth-El, owner, to permit in a residence use and, also, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution; premises 121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, SEPTEMBER 9, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the special meetings of the Board held on Thursday morning, July 23, 1942 and Thursday afternoon, July 23, 1942 and the minutes of the regular meetings of the Board held on Tuesday morning, July 28, 1942 and Tuesday afternoon, July 28, 1942 and the recessed meeting of the Board held on Friday morning, July 31, 1942, were approved as printed in Bulletin No. 31, Vol. 27.

ZONING CASES.

474-42-BZ.

APPLICANT—Max Horn, for Temple Beth-El, owner.
SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use and, also, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution.

PREMISES AFFECTED—121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn, Max Horn, Arthur I. Buchman and others.

For Opposition: Frederick Davies, Melville Marx, Edward W. Sullivan and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 6, 1942 at 10 A. M. for consideration by the Board.

530-42-BZ.

APPLICANT—Millard Henlein, for Board of Transportation, City of New York, owner (Abraham Goldenblum and Samuel Goldenblum, lessees).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—360-374 Sixth avenue, east side, from Washington place to Waverly place, 126-130 Waverly place and 87 Washington place (Block No. 552, Lot No. 37), Borough of Manhattan.

APPEARANCES—

For Applicant: Millard Henlein, Edward G. Steinert, Mr. Gold and Mr. Podolsky (Board of Transportation).

For Opposition: Louis A. Jackson and Albert A. Raphael.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 15, 1942 at 10 A. M. for further consideration by the Board. No further argument.

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89-42-BZ.

APPLICANT—Joseph Lau, for Tov Realty Company, owner (David Morris, lessee).

SUBJECT—Application (re decision of the borough superintendent) under sections 7E and 21 of the zoning resolution, to permit in a business use district, the maintenance of a non-flashing illuminated sign not conforming with the requirements of the zoning resolution.

PREMISES AFFECTED—2517-2519 Seventh avenue and 164 West 146th street, southeast corner (Block No. 2014, Lot No. 61), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (89-42-BZ)

WHEREAS, Joseph Lau, for Tov Realty Company, owner (David Morris, lessee), filed January 29, 1942, an application under sections 7-e and 21 of the zoning resolution, to permit in a business use district, the maintenance of a non-flashing illuminated sign not conforming with the requirements of the zone resolution; premises 2517-2519 Seventh avenue and 164 West 146th street, southeast corner (Block No. 2014, Lot No. 61), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 9, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Seventh avenue is in a business and retail use district; West 145th street is in a business and unrestricted use district; West 146th street is in an unrestricted and retail use district; and

WHEREAS, the decision of the Borough Superintendent, dated January 28, 1942, reads:

"In reply to your letter of January 27th, 1942 with reference to the above subject matter and in which you state that time in which to take an appeal to the Board of Standards and Appeals has expired and requesting an extension of time in which to take said appeal, we wish to advise you that this department has no authority to extend such time but our denial of November 18, 1941 is herewith repeated:

'E. S. Application 279-1941 applying to premises 2519 7th avenue was approved by this department on March 25th, 1941 for the erection of a sign for the following dimensions: 2'x5'4", 3'x11', 2'5'4", right angle to building.

'As the inspector approved this sign with the understanding that the building was situated in an unrestricted district and subsequent study shows that same is located in a business district where signs projecting more than 18" beyond the building line are prohibited, you are hereby informed that this sign permit is revoked.'

WHEREAS, the existing building is of Class 3 construction, having a frontage of 40 ft. on Seventh avenue and 87 ft. on West 145th street, six stories in height. It is proposed to maintain the existing illuminated non-flashing business sign on the front of the existing store and apartment building on the premises in question. The sign in question projects six (6) feet beyond the building line, instead of the permissible 18 inches as provided in the zone resolution; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under Section 7-e of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-e thereof for a term of two (2) years from the date of this resolution, *on condition* that in all other respects the sign complies with all laws, rules and regulations applicable thereto.

108-42-BZ.

APPLICANT—Judson E. Schnall, for Madbeck Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—81-85 Seeley street, north side, 25 ft. west of 19th street (Block No. 5261, Lot No. 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Judson E. Schnall.

For Opposition: Catherine Re, Mary Rowan, Sophia Tamalska, Josephine De Angelis, Martha Mathesen and Mildred Moritz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (108-42-BZ)

WHEREAS, Judson E. Schnall, for Madbeck Holding Corporation, owner, filed February 5, 1942, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises, 81-85 Seeley street, north side, 25 ft. west of 19th street (Block No. 5261, Lot No. 17), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 9, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Seeley street is in a residence use district; 19th street, Terrace place and 20th streets are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent dated January 20, 1942, re B.N. Applic. 54-42 reads:

"The storage and parking of more than five (5) motor vehicles in a residential use district is contrary to the Zoning Res., Sect. 3."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft. It is proposed to use the plot for a term of two years for the parking and storage of more than five (5) motor vehicles and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7h of the zoning resolution.

Resolved, that the decision of the borough superintendent acting on B. N. Applic. 54-42, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

457-42-BZ.

APPLICANT—Bernhardt E. Muller, for Eighth Church of Christ, Scientist, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution

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to permit in a residence use and, also, a B area district, the erection and maintenance of a building (a church) which does not comply with the rear yard requirements of the zoning resolution.

PREMISES AFFECTED—103-107 East 77th street, north side, 100 ft. east of Park avenue and 230 ft. west of Lexington avenue (Block No. 1412, Lot Nos. 5 to 7, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Bernhardt E. Muller, Martin Leuher and others.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition. **THE VOTE**—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (457-42-BZ)

WHEREAS, Bernhardt E. Muller, for Eighth Church of Christ, Scientist, owner, filed June 3, 1942, an application under section 21 of the zoning resolution, to permit in a residence use and also a "B" area district, the erection and maintenance of a building (church) which does not comply with the rear yard requirements of the zoning resolution; premises, 103-107 East 77th street, north side, 100 ft. east of Park avenue and 230 ft. west of Lexington avenue (Block No. 1412, Lot Nos. 5 to 7 inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 9, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that East 77th street and East 78th street are each in residence and business use and "B" area districts; Lexington avenue is in a business use and "B" area district; and

WHEREAS, the decision of the borough superintendent, dated May 25, 1942, re N. B. Applic. 251-36, reads:

"Repeat objection 17—Rear yard should comply with Section 17 Bldg. Zone Resolution. Ten foot yard required at curb level and no encroachments on yard area are lawful."

and

WHEREAS, the premises consist of a plot having a frontage of 100 ft. and a depth of 102 ft. 2 in.; upon the easterly 25 ft. frontage of plot there is located a 3-story building having a depth of 96 ft. 2 in. occupied for church purposes; upon the westerly 50 ft. frontage of plot there are located two 2-story buildings which are to be demolished; the central 25 ft. of the plot is vacant. It is proposed to extend the area of the easterly 3-story building by the erection of a fireproof extension, having a frontage of 75 ft. and a depth of 96 ft. 2 in., to be occupied as a church and Sunday school. In lieu of providing the required 10 ft. deep rear yard, it is proposed to provide a 6 ft. deep rear yard for a height of 30 ft. The present easterly building has been erected with these rear yard conditions, the said (church) building having been erected and altered prior to June 28, 1940, when section 17B of the Zone Resolution was amended in re the required rear yards of churches; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 21

thereof, *on condition* that there shall be a rear yard unbuilt upon for a width of not less than 6 ft. for the entire width of the premises and that the rear wall adjoining such rear yard shall not exceed a height of 30 ft. above the curb; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within two (2) years from the date of this resolution.

Adjourned: 11:50 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

WEDNESDAY AFTERNOON, SEPTEMBER 9, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

176-38-BZ.

APPLICANT—Lama and Proskauer, for Regis Holding Corporation, owner (Katherine Sassano, lessee).

SUBJECT—Application for consideration—reopening and restoration to calendar (re decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a business use district, the maintenance of an auto wrecking yard (previously dismissed for lack of prosecution re maintenance of junk yard).

PREMISES AFFECTED—486-700 Herkimer street and 22-30 Utica avenue, southwest corner (Block No. 1707, Lot Nos. 46, 47 and 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

1060-39-BZ.

APPLICANT—Otto J. Sambach, for Hart Place Realty Company, owner (Great Eastern Oil Company, lessee).

SUBJECT—Application (re decision of the acting borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—1724-1728 Hart place, south side, 124 ft. 1½ in. west of Cropsey avenue (Block No. 6994, Lot No. 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

654-27-BZ.

APPLICANT—Wagner, Quillinan, Wagner and Tennant, for Wilhelmina Pape, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted,

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under sections 7e and 21 of the zoning resolution, permitting the amendment of a resolution granting in a business use district, the change of occupancy of an existing building to a garage for the storage of more than five (5) motor vehicles of the pleasure-car type, to include motor vehicles of the commercial-car type.

PREMISES AFFECTED—622-632 Foster avenue, southwest corner of East 7th street (Block No. 6494, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin A. Tennant, Jr.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (654-27-BZ)

WHEREAS, this application affecting premises 622-632 Foster avenue, southwest corner of East 7th street (Block No. 6494, Lot No. 8), Borough of Brooklyn, was granted by this Board November 18, 1927, on certain conditions, and resolution amended, April 16, 1929 and January 7, 1936; and

WHEREAS, Warner, Quillinan and Rifkind, attorneys for owner Wilhelmina Pape, requested a reopening of the case and a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 18, 1927, as amended, April 16, 1929, by adding thereto the following:

"That in the event it is desired to change the occupancy of the easterly portion of the garage located at the corner of East 7th street and Foster avenue, having a frontage on Foster avenue of approximately 50 feet, from a public garage to a private garage for not more than twelve light delivery trucks and storage of merchandise of the Beechnut Packing Company, such change of use may be permitted, on condition that no signs advertising such use shall be displayed on any of the exterior walls or roof of this building and that no gasoline shall be stored in this building other than in the tanks of the cars and in a storage system for the exclusive use of such trucks; that during the time that this section of the garage is so used, it shall be separated from the balance of the building by unpunctured fireproof walls and in no way operated in connection with same except as to general heating; and that any existing fireproof doors in such walls shall be blocked so as to be unopenable."

Resolved further, that the Board of Standards and Appeals does hereby amend the resolution adopted by the Board on November 18, 1927, as amended on April 16, 1929, and January 7, 1936, by adding thereto:

"that in the event the owner desires to occupy the easterly or corner building for the storage of food products and the westerly portion for the storage of delivery trucks used in connection with the distribution of such food products, such use may be permitted, provided that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the requirements of this resolution; that any opening in the wall between the easterly and westerly section shall not exceed the size permitted by the Building Code therefor, and shall be protected with the required fire doors on each side."

1205-40-BZ.

APPLICANT—Herman Rosenblatt, for Geno Ardit, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (de-

cision of the borough superintendent) previously granted under section 7c of the zoning resolution, permitting partly in a residence use district and partly in an unrestricted use district, the erection of an additional story upon an existing building.

PREMISES AFFECTED—421-427 East 93rd street, north side, 133 ft. 4 5/8 in. west of East River drive (Block No. 1573, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Rosenblatt.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1205-40-BZ)

WHEREAS, Jack Z. Cohen, for Geno Ardit, owner, filed December 19, 1940, an application under section 7c of the building zone resolution, to permit partly in a residence use district and partly in an unrestricted use district, the erection of an additional story upon an existing building; premises 421-427 East 93rd street, north side, 133 ft. 4 5/8 in. west of East River drive (Block No. 1573, Lot No. 14), Borough of Manhattan; and

WHEREAS, this application was granted by the Board on April 22, 1941, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted April 22, 1941, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution."

558-41-BZ.

APPLICANT—Weisman, Celler, Quinn, Allan and Spett, for Benvenue Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1431-1439 Beach 18th street, east side, 190 ft. north of Mott avenue and west side of Beach 17th street, 130 ft. north of Mott avenue (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Leo J. Stewart.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (558-41-BZ)

WHEREAS, Edgar J. Moeller, for Benvenue Corporation, owner, filed June 19, 1941, an application under sections 7h of the building zone resolution, to permit in a residence use district, the parking and storage of more than five (5) motor vehicles; premises 1431-1439 Beach 18th street, east side, 190 ft. north of Mott avenue and west side of Beach 17th street, 130 ft. north of Mott avenue (Block No. 47, part of Lot No. 25), Far Rockaway, Borough of Queens; and

WHEREAS, this application was granted by the Board on August 6, 1941, on certain conditions and applicant requested an amendment of the resolution.

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Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted August 6, 1941, by adding thereto:

"that in the event the owner desires to reduce the area of the plot to dimensions indicated on plans marked 'Received August 21, 1942' with entrance only to Mott place or Beach 17th street, such reduction may be permitted, provided an adequate fence is constructed on the new rear lot line and that in all other respects the terms of the resolution as adopted under this calendar number and under Cal. No. 603-41-A shall be complied with, insofar as they apply to the new reduced area."

664-41-BZ.

APPLICANT—Milton M. Eisenberg, for General Linen Supply and Laundry Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted on condition, under section 7g of the zoning resolution, permitting in an unrestricted use district and also on the same street and between two (2) intersecting streets, upon which there is an exit or an entrance to a public school, the conversion of occupancy of a building, to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—157-171 Sanford street, east side, 75 ft. north of Willoughby avenue (Block No. 1753, Lot Nos. 4-10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bertram H. Mock.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (664-41-BZ)

WHEREAS, this application under section 7g of the zoning resolution, to permit in an unrestricted use district, and also on the same street and between the same two intersecting streets upon which there is an exit or an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles, premises 157-171 Sanford street, east side, 75 ft. north of Willoughby avenue (Block No. 1753, Lot Nos. 4 and 10), Borough of Brooklyn, was granted by the Board December 9, 1941, on certain conditions, resolution amended May 26, 1942 and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on May 26, 1942, only so far as it has reference to obtaining permits and completion of the work, so that as amended this portion shall read:

" * * that all permits required shall be obtained and all work completed within three (3) months from the date of this amended resolution."*

707-41-BZ.

APPLICANT—Max Horn, for Leo H. Rich, owner (Nathan Zucker, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) granted under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—34-21 Sprayview avenue, southeast corner of Beach 35th street (Block No. 306, Lot No. 1), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (707-41-BZ)

WHEREAS, Max Horn, for Leo H. Rich, owner (Nathan Zucker, lessee), filed on July 31, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 34-21 Sprayview avenue, southeast corner of Beach 35th street (Block No. 306, Lot No. 1), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on June 30, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted June 30, 1942, so that as amended this portion shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution."

802-41-BZ.

APPLICANT—Max Horn, for Harry Wilkus, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) granted under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, the seasonal transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—219 Beach 26th street, west side, 100 ft. south of Edgemere avenue and 220 Beach 27th street (Block No. 280, Lot No. 10), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (802-41-BZ)

WHEREAS, Max Horn, for Harry Wilkus, owner, filed September 19, 1941, an application under section 7h of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 219 Beach 26th street, west side, 100 ft. south of Edgemere avenue and 220 Beach 27th street, east side, 140 ft. south of Edgemere avenue (Block No. 280, Lot No. 10), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on April 21, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 21, 1942, so that as amended this portion shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution."

MINUTES

805-41-BZ.

APPLICANT—Max Horn, for Joseph Maas, owner (Louis Friedman, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) granted under section 7c of the zoning resolution, permitting in a business use district, the parking and storage of more than five (5) motor vehicles, on an existing gasoline service station.

PREMISES AFFECTED—201 Beach 66th street and 66-02 to 66-10 Rockaway Beach boulevard, northwest corner (Block No. 396, Lot No. 107), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (805-41-BZ)

WHEREAS, Max Horn, for Joseph Maas, owner, filed September 19, 1941, an application under section 7-c of the zoning resolution to permit in a business use district, the parking and storage of more than five (5) motor vehicles in an existing gasoline service station; premises 201 Beach 66th street and 66-02 to 66-10 Rockaway Beach boulevard, northwest corner (Block No. 396, Lot No. 107), Arverne, Borough of Queens; and

WHEREAS, this application was granted by the Board on May 26, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted May 26, 1942, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution."

830-41-BZ.

APPLICANT—Max Horn, for Edgemere-Britain Company, owner (Samuel Benerofe, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) granted under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—138 Beach 30th street, east side, 65 ft. south of Lewmay road (Block No. 301, part of Lot No. 22), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (830-41-BZ)

WHEREAS, Max Horn, for Edgemere-Britain Co., Inc. (Samuel Benerofe, lessee) filed September 26, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 138 Beach 30th street, east side, 65 ft. south of Lewmay road (Block No. 301, part of Lot No. 22), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on May 26, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted May 26, 1942, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution and that such fire-fighting appliances shall be maintained as the fire commissioner may direct."

Resolved further, that the resolution of May 26, 1942 be amended as to location of the entrance, so that as amended it shall read:

" * * except for an entrance from Sprayview avenue not over 15 feet in width."*

831-41-BZ.

APPLICANT—Max Horn, for Ocean-Gold Realty Corporation, owner (Ocean Edge Baths, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) granted under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—34-01 Sprayview avenue, southwest corner of Beach 34th street (Block No. 306, Lot No. 7), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (831-41-BZ)

WHEREAS, Max Horn, for Ocean-Gold Realty Corporation, owner (Ocean Baths-Hannah Peck, lessee), filed on September 26, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 34-01 Sprayview avenue, southwest corner of Beach 34th street (Block No. 306, Lot No. 7), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on June 30, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend, its resolution adopted June 30, 1942, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution and that such fire-fighting appliances shall be maintained as the fire commissioner may direct."

833-41-BZ.

APPLICANT—Max Horn, for Jerome Baths, Incorporated, owner (Meyer Friedberg, lessee).

SUBJECT—Application for consideration—reopening—amendment of resolution extension of time to complete—re Application (decision of the borough superintendent) granted under section 7h of the zoning resolution, permitting in a residence use district for a term of two (2) years, the seasonal transient parking of more than five (5) motor vehicles.

MINUTES

PREMISES AFFECTED—88 Beach 61st street, northeast corner of Boardwalk (Block No. 353, Lot No. 1), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (833-41-BZ)

WHEREAS, Max Horn, for Jerome Baths, Inc., owner (Meyer Friedberg, lessee), filed September 26, 1941, an application under section 7h of the building zone resolution, to permit in a residence use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises: 88 Beach 61st street, northeast corner of Boardwalk (Block No. 353, Lot No. 1), Arverne, Borough of Queens; and

WHEREAS, this application was granted by the Board on April 21, 1942, on certain conditions and applicant requested an amendment of the resolution and an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted April 21, 1942, in relation to the requirement that cars shall be placed on the lot away from the building on the adjoining lot, so that as amended this portion shall read:

"that no cars shall be parked beyond the building line nor within five feet thereof; that the plot shall be leveled but may be maintained at the existing grade; that all permits required and all work shall be completed within two (2) months from the date of this resolution."

836-41-BZ.

APPLICANT—Max Horn, for Zimergast Realty Company, Incorporated, owner (Paul J. Paul, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) granted under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—98-01 Rockaway Beach boulevard and 185 Beach 98th street, southwest corner (Block No. 637, Lot No. 39), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Administration: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (836-41-BZ)

WHEREAS, Max Horn, for Zimergast Realty Co., Inc., owner (Paul J. Paul, lessee), filed September 26, 1941, an application under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 98-01 Rockaway Beach boulevard and 185 Beach 98th street, southwest corner (Block No. 637, Lot No. 39), Rockaway Beach, Borough of Queens; and

WHEREAS, this application was granted by the Board on May 26, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted May 26, 1942, only so far as it has reference to obtaining permits and the completion of the work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution."

841-41-BZ.

APPLICANT—Max Horn, for Belle Goldstein, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) granted under section 7h of the zoning resolution, permitting in a residence use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—33-03 Sprayview avenue, southwest corner of Beach 33rd street (Block No. 305, Lot No. 6), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (841-41-BZ)

WHEREAS, Max Horn, for Belle Goldstein, owner, filed on September 30, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 33-03 Sprayview avenue, southwest corner of Beach 33rd street (Block No. 305, Lot No. 6), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on May 26, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted May 26, 1942, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution."

842-41-BZ.

APPLICANT—Max Horn, for Gussie Schradnick, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) granted under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, on the same premises with a multiple dwelling, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—167 Beach 41st street, west side, 271.19 ft. south of Edgemere avenue (Block No. 325, Lot No. 51), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened and time extended.

MINUTES

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (842-41-BZ)

WHEREAS, Max Horn, for Gussie Schradnick, owner, filed on September 30, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, on the same premises with a multiple dwelling, the parking of more than five (5) motor vehicles; premises 167 Beach 41st street, west side, 271.19 ft. south of Edgemere avenue (Block No. 324, Lot No. 51), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on June 16, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted June 16, 1942, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution; that such fire-fighting appliances shall be maintained as the fire commissioner may direct."

848-41-BZ.

APPLICANT—Max Horn, for Michael Cook, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted under section 7e of the zoning resolution, permitting in a residence use district, the erection and maintenance of a building to be used for stores and open air movie theatre.

PREMISES AFFECTED—38-01 to 38-05 Boardwalk, northwest corner of Beach 38th street (Block No. 320, Lot No. 1), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (848-41-BZ)

WHEREAS, Max Horn, for Michael Cook, owner, filed on September 30, 1941 an application under section 7e of the zoning resolution, to permit in a residence use district, the erection and maintenance of a building to be used for stores and open air movie theatre; premises 38-01 to 38-05 Boardwalk, northwest corner of Beach 38th street (Block No. 320, Lot No. 1), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on June 9, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 9, 1942, only so far as it has reference to obtaining permits and completing the work, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution. . . ."

1022-41-BZ.

APPLICANT—Max Horn, for Dorothy Jacobs and Hortense Margolis, owners (Dorothy Jacobs, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) granted

under section 7h of the zoning resolution, permitting in a residence use district for a term of two (2) years, on the same premises with a multiple dwelling, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—124-128 Beach 63rd street, east side, 355 ft. south of Larkin avenue (Block No. 355, Lot No. 24 and part of Lot No. 19), Arverne, Borough of Queens.

APPEARANCES:

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1022-41-BZ)

WHEREAS, Max Horn, for Dorothy Jacobs and Hortense Margolis, owners (Dorothy Jacobs, lessee), filed on November 27, 1941 an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, on the same premises with a multiple dwelling, the parking of more than five (5) motor vehicles; premises 124-128 Beach 63rd street, east side, 355 ft. south of Larkin avenue (Block No. 355, Lot No. 24 and part of Lot No. 19), Arverne, Borough of Queens; and

WHEREAS, this application was granted by the Board on June 16, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted June 16, 1942, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution; that such fire-fighting appliances shall be maintained, as the fire commissioner may direct."

1027-41-BZ.

APPLICANT—Max Horn, for Evelyn Syrkin Cherry, owner (Louis Schradnick, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted under section 7h of the zoning resolution, permitting in a residence use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—170 Beach 42nd street, east side, 97 ft. north of Boardwalk (Block No. 324, Lot No. 13), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1027-41-BZ)

WHEREAS, Max Horn, for Evelyn Syrkin Cherry, owner (Louis Schradnick, lessee), filed on November 27, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 170 Beach 42nd street, east side, 97 ft. north of Boardwalk (Block No. 324, Lot No. 13), Edgemere, Borough of Queens; and

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WHEREAS, this application was granted by the Board on June 16, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted June 16, 1942, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution; that such fire-fighting appliances shall be maintained as the fire commissioner may direct."

1028-41-BZ.

APPLICANT—Max Horn, for Remuda Realty Corporation and Charles McManamy, owners (Sophie Adler, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete—re Application (decision of the borough superintendent) previously granted under section 7h of the zoning resolution, permitting in a residence use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—29-07 Seagirt avenue, south side, 60 ft. west of Beach 29th street and 29-14 to 30-02 Lewmay road, north side, 60 ft. west of Beach 29th street (Block No. 300, Lot Nos. 16 and 53), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

For Opposition: Harold Klorfein, Dept. of Parks.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1028-41-BZ)

WHEREAS, Max Horn, for Remuda Realty Holding Corporation and Charles McManamy, owners (Sophie Adler, lessee) filed on November 27, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 29-07 Seagirt avenue, south side, 60 ft. west of Beach 29th street and 29-14 to 30-02 Lewmay road, north side, 60 ft. west of Beach 29th street (Block No. 300, Lot Nos. 16 and 53), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on May 26, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted May 26, 1942, so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within two (2) months from the date of this amended resolution; that such fire-fighting equipment shall be maintained as the fire commissioner shall direct."

APPEALS FROM ADMINISTRATIVE DECISIONS.

655-42-A.

APPLICANT—Alfred H. Eccles, for I. Miller and Sons, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—

Laid over to September 11, 1942 at 10 A.M. for further consideration by the Board.

656-42-S.

APPLICANT—Alfred H. Eccles, for I. Miller and Sons, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—

Laid over to September 11, 1942 at 10 A.M. for further consideration by the Board.

27-31-A.

APPLICANT—Martyn N. Weinstein, for MacIntyre Building Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—874 Broadway and 27-29 East 18th street, northeast corner (Block No. 847, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Martyn N. Weinstein.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

264-42-A.

APPLICANT—Frank C. Keller, for Davro Realty Company, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar on a new decision—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—171-06 Jamaica avenue, south side, 40.20 ft. west of 172nd street (Block No. 10212, Lot No. 17), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

ACTION OF BOARD—Appeal reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

584-41-A.

APPLICANT—Seymour C. Simon, for Saul Leeman, owner.

SUBJECT—Application for consideration—reopening on a new decision re Appeal from a decision of the borough superintendent (previously denied).

PREMISES AFFECTED—121 Bay 23rd street, east side, 100½ ft. south of Benson avenue (Block No. 6408, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Seymour C. Simon.

MINUTES

ACTION OF BOARD—Appeal reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

562-42-A.

APPLICANT—Max Horn, for Marin Boat Works, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—72-35 Elizabeth avenue, south side, 320 ft. west of Beach 72nd street (Block No. 521, Lot No. 1), Arverne, Borough of Queens (Under section 35, General City Law re bed of mapped street) (Barbados Drive).

APPEARANCES—

For Applicant: Mrs. Max Horn.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (562-42-A)

WHEREAS, Max Horn, for Marin Boat Works, Inc., owner, filed July 14, 1942, an application pursuant to Section 35 of the General City Law, for permission to erect a building in the bed of a mapped street (Barbados Drive) and an appeal from a decision of the borough superintendent, affecting premises 72-35 Elizabeth avenue, south side, 320 ft. west of Beach 72nd street (Block No. 521, Lot No. 1), Arverne, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated July 29, 1942, on Alt. Applic. No. 1239-42, reads:

"1. The erection of a building in the bed of a mapped street, is contrary to Art. 3, Sec. 35 of the General City Laws.

2. The area of the building is excessive for Class III building facing one street, Sec. 4.2.1. of the Building Code."

and

WHEREAS, the applicant states the premises consist of a plot 332.40 ft. by 100 ft. and 130 ft. irregular in area; located in an unrestricted use district, on which there exists frame buildings 66 ft. by 100 ft. and 25 ft. by 100 ft. in area; and upon which it is proposed to erect the building in question, which will be of Class 3 construction, one story, 25 ft. in height; 72 ft. 6 in. by 100 ft. in area; to be used as a boat shop and occupied by 25 persons; and

WHEREAS, the applicant contends that the premises are now being used for the construction of small boats for the U. S. Navy, and the additional building is urgently required, as the owner is receiving additional orders from the Navy; that this plant has been building small boats for many years; that Barbados drive had been mapped as early as 1920, and no action has been taken by the City towards its acquisition for 22 years or more; that the existing buildings are already in the bed of the mapped street; that the proposed building will only encroach a small area within the mapped street; that while the area of the combined buildings is excessive for a building or buildings facing one street, based on the theory that access for fire fighting equipment cannot reach it adequately, in this case a wide gate has been provided at the bay end and at Elizabeth street, which gives the Fire Department access into the yard; and

WHEREAS, the applicant has filed a communication dated July 6, 1942, addressed to the borough superintendent by the Engineer in Charge of the Topographical Bureau of the Borough of Queens, stating that Barbados drive be-

tween Burchell avenue and Morris avenue is shown as 80 ft. in width on the final map; that there is no proceeding contemplated to open the street at the present time; and

WHEREAS, the Board has been informed by the City Planning Commission, under date of August 19, 1942, that Barbados drive was legally mapped in 1930 at a width of 80 ft. and was designed to serve a prospective industrial development lying between Barbados drive and Vernam Basin; that the section of Barbados drive immediately north of Burchell avenue is improved at a width of 50 ft.; that the section between Burchell avenue and Beach 72nd street is not in use and is encroached upon by about 10 buildings; that no proceedings are pending for acquisition or improvement of Barbados drive in the vicinity of Elizabeth avenue, and that it is impracticable to state when such proceedings may be initiated; and

WHEREAS, the Board has been informed by the President of the Borough of Queens under date of August 14, 1942, that in the opinion of the Borough President, the City's interest would not be adversely affected by the construction of the proposed building on the understanding that any permit for such construction would be on condition that the owners would waive any award for condemnation of the portion of the building erected within the street bed.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 1239-42, Objection No. 1, be and it hereby is modified and that the appeal be and it hereby is granted under the authority granted the Board under Section 35 of the General City Law, on condition that the building, other than as varied by this resolution, shall comply in all other respects with all laws, rules and regulations applicable thereto, that in the event the bed of the proposed Barbados drive is acquired by the City for street purposes, no claim shall be made for that portion of the building erected within the bed of the proposed street or for the necessary alterations to the balance of the building; and as to Item No. 2, that the building shall not be increased in height or area beyond what is now proposed, and that such fire fighting equipment shall be installed as the fire commissioner shall direct.

659-42-A.

APPLICANT—Alfred M. Rau, for Light and Power Meter Corporation, owner (Wallstein Industrial Corporation, lessee).

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—40-44 West 24th street, south side, 184 ft. east of Sixth avenue (Block No. 825 Lot No. 71), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles E. Sommer.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative 0

THE RESOLUTION (659-42-A)

WHEREAS, Alfred M. Rau, for Light and Power Meter Corp. owner (Wallstein Industrial Corp., lessee), filed on September 3, 1942, an appeal from a decision of the fire commissioner affecting premises 40-44 West 24th street, south side, 184 ft. east of Sixth avenue (Block No. 825 Lot No. 71), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated August 26, 1942 reads:

"Your application to store nitro-cellulose, benzol and thinners at the above premises, is hereby denied for the following reason, in accordance with Section C19-110.0.B.1 of the Administrative Code, namely:

1—No permit for the storage or manufacture of nitro-cellulose products, except as heretofore provided shall be issued for any building, to wit, which is situ-

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ated within 50 feet of the nearest wall of any building occupied as a school, theatre or other place of public amusement or assembly.

2—No lacquers, thinners, enamels, cements, etc. may be stored in excess of 25 gallons in any nitro-cellulose occupancy. In accordance with Section C19-113.0.H.

3—Under Section C19-51.B.5, volatile inflammable oils or liquids, is limited to the storage of not more than five gallons in approved safety can.

Therefore, your application is denied for the storage of one drum of benzole."

and

WHEREAS, the applicant states that the building is 10 stories (110 ft.) in height 75 ft. by 94 ft. in area at first floor, 75 ft. by 90 ft. in area at typical floor, of Class 1 construction, equipped with a sprinkler and standpipe system, located in a business use district, erected in 1905 and occupied: cellar, storage of furniture, no persons; 1st floor, manufacturing and storage of paper boxes, 6 persons; 2nd floor, manufacturing of ski equipment, 40 persons; 3rd floor, sheet music publishers, 8 persons; 4th floor furniture manufacture, 15 persons; 5th floor, manufacture of optical goods, 25 persons; 6th floor, clothing manufacture, 10 persons; 7th floor, lamp shade manufacture, 15 persons; 8th floor, lamp shade manufacture, 5 persons; 9th floor, embroideries, 25 persons; 10th floor, vacant; no change in use or occupancy is proposed except for the 10th floor, which will be used for the manufacture of celluloid products and occupied by 15 persons; and

WHEREAS, an examination of the Fire Dept. folder No. 24W40.12 indicates that the application was filed August 25, 1942 for the storage and use of 600 lbs. of sheet cellulose, 54 gals. of benzol, 100 gals. of thinners composed of esters, alcohols, petroleum hydro-carbon and aromatic hydro-carbons, 100 gals. of lacquer and the decision of the fire commissioner herein appealed was issued on such application; and

WHEREAS, the applicant contends that the building is fireproof and fully sprinklered; that the use, storage and manufacture of celluloid products will be done under the supervision and in accordance with the rules and regulations of the Fire Dept. and the Board of Fire Underwriters; that the storage and manufacture of such products will be done at the easterly portion of the loft at least 50 ft. away from the adjoining wall and done only during daylight hours; that the adjoining building known as the Masonic Temple is used for meeting rooms and office purposes only and all meetings are held at night; that the tenant has government contracts and must vacate its present premises before October 1, which means it must start installing its machinery and equipment in the building in question immediately, in order to prevent any delay in fulfilling government contracts; that all the tenants occupying the lower floors in this building are engaged in non-hazardous occupations.

Resolved, that the decision of the fire commissioner dated August 26, 1942, as to Item No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the requirements for the storage and manufacture of nitro-cellulose products shall be complied with; that the storage of such celluloid shall be located toward the easterly portion of the building on the 10th floor, so as to be as remote as possible from the place of public assembly in the adjoining building to the west; that there shall be no openings in the wall adjacent to the adjoining building to the west; that in all other respects all the requirements shall be complied with, and withdrawn as to Items Nos. 2 and 3.

922-41-A.

APPLICANT—H. G. Vogel Company, Incorporated, for Smith and Scutt Company, Incorporated and Fannie Billig, owners (Bond Stores, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—165-03 to 165-07 Jamaica avenue, north side, 31.87 ft. east of 165th street (Block No. 9794, Lot No. 7), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur E. Breyer.

ACTION OF THE BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (922-41-A)

WHEREAS, this appeal from an order and decision of the fire commissioner, premises 165-03 to 165-07 Jamaica avenue, north side, 31.87 ft. east of 165th street (Block No. 9794, Lot No. 7), Jamaica, Borough of Queens, was granted by the Board on December 2, 1941, on certain conditions, resolution amended January 13, 1942 and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 13, 1942, insofar as it relates to the water flow alarm, so that as amended this portion of the resolution shall read:

"that a water flow alarm shall be provided and maintained on the exterior of the building at the street front or at the inside of the parapet wall at the street front."

226-42-A.

APPLICANT—Sidney L. Strauss, for General Bronze Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent; previously granted on condition.

PREMISES AFFECTED—34-19 10th (Hancock) street, east side, 146 ft. south of 34th avenue (Block No. 325, Lot No. 15 and part of Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (226-42-A)

WHEREAS, Sidney L. Strauss, for General Bronze Corporation, owner, filed on March 19, 1942, an appeal from a decision of the borough superintendent and from an order of the fire commissioner, affecting premises 34-19 10th (Hancock) street, east side, 146 ft. south of 34th avenue (Block No. 325, Lot No. 15 and part of Lot No. 9), Long Island City, Borough of Queens; and

WHEREAS, this appeal was withdrawn, after argument, on March 31, 1942; and

WHEREAS, the applicant requested a reopening of the case and restoration to the calendar; and

WHEREAS, this appeal was reopened by vote of the Board and on July 28, 1942, granted on certain conditions and applicant requested an amendment of the resolution.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 28, 1942, by adding thereto:

*"that no open flame shall be maintained on the same floor where the spraying is carried on except that arc welding may be permitted, provided such work is done not nearer than 35 ft. from the front of the nearest spray booth. * * *"*

Resolved further, that the last preamble of the resolution adopted on July 28, 1942, is hereby corrected to read:

"WHEREAS, the applicant contends as to Item 2 of the fire commissioner's order, that spraying is done on the 'first floor' instead of the 'second floor'."

255-42-S.

APPLICANT—Oscar Goldschlag, for Silverberg and Trattner, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Variation of the labor law as cited in a decision of the acting borough superintendent.

PREMISES AFFECTED—358 East 145th street, south side, 91.41 ft. east of Third avenue (Block No. 2306, Lot No. 66), Borough of The Bronx.

APPEARANCES—

For Applicant: Oscar Goldschlag.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (255-42-S)

WHEREAS, Oscar Goldschlag, for Silverberg and Trattner, Inc., owner, filed on March 27, 1942 an application for a variation of the requirements of the Labor Law as cited in a decision of the borough superintendent; premises 358 East 145th street, south side, 91.41 ft. east of Third avenue (Block No. 2306, Lot No. 66), Borough of The Bronx; and

WHEREAS, this application was granted by the Board on May 12, 1942, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted May 12, 1942, so that as amended the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Alt. Applic. No. 904-41, Objection No. 10, and that the application be and it hereby is *granted on condition* that the fire-escape shall comply in all other respects with the requirements of the Labor Law and all other laws applicable, except that the balconies may be 3 ft. 8 in. in width; that the slope of the ladders may be not more than 60°; that the egress to street from the 2nd story balcony may be by means of a counterbalanced drop ladder in guides; that an extension of the fire-escape balcony shall be constructed at the 3rd floor to provide access from the 3rd story roof; that the proposed new interior stairs shall be continued from the 3rd story roof to street with enclosure walls of construction approved for one hour; that the existing stairway in the 4-story building shall be enclosed from 1st to 4th floor in similar enclosure with fireproof doors; that from such supplemental stairway in the four-story building the fireproof or fire-retarded passage to street may be omitted; that access from the 4th story to the roof of the 3-story building shall be provided by means of

a door leading to the bulkhead of the proposed stairway; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

507-42-A.

APPLICANT—Frank J. Ross, for Sigmond Rosenberg owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the acting borough superintendent; previously granted on condition.

PREMISES AFFECTED—449 East 178th street, north side, 66.37 ft. east of Park avenue (Block No. 3035, Lot No. 61), Borough of The Bronx.

APPEARANCES—

For Applicant: Susan Rosenbaum.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy
Negative:

THE RESOLUTION (507-42-A)

WHEREAS, Frank J. Ross, for Sigmond Rosenberg owner, filed June 25, 1942, an appeal from a decision of the acting borough superintendent, premises, 449 East 178th street, north side, 66.47 ft. east of Park avenue (Block No. 3035, Lot No. 61), Borough of The Bronx; and

WHEREAS, this appeal was granted by the Board on July 23, 1942, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on July 23, 1942, so that as amended the resolution shall read:

"granted on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable to a building when erected outside the fire limits; that the building shall not be increased in height or area; that the scuttle in the roof shall be maintained with a ladder giving access thereto so as to permit access across to roofs of adjoining buildings; that the arrangement of the proposed apartments may be as indicated on plans marked 'Received August 27, 1942', *provided* that the owner of the building shall occupy the apartment on the first floor."

546-42-A.

APPLICANT—Frank C. Keller, for Unum Real Estate Corporation, owner.

SUBJECT—Application for consideration—reopening based on a new decision re—Appeal from an order of the fire commissioner; previously withdrawn.

PREMISES AFFECTED—2431-2439 Broadway, south west corner of West 90th street (Block No. 123, Lot No. 52), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: John A. Mason, Engineer, Fire Dept.

ACTION OF BOARD—Appeal reopened, restored to calendar and denied.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy
Negative:

THE VOTE TO GRANT—

Affirmative:
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

MINUTES

THE RESOLUTION (546-42-A)

WHEREAS, Ardstodd, Inc. for Unum Real Estate Corporation, owner, filed on July 8, 1942 an appeal from a Fire Department order affecting premises 2431-2439 Broadway, southwest corner West 90th street (Block No. 1237, Lot No. 52), Borough of Manhattan; and

WHEREAS, this appeal was withdrawn on July 23, 1942; and

WHEREAS, the applicant requested a reopening of this case and the restoration to the calendar; and

WHEREAS, Order No. 660, issued by the fire commissioner June 15, 1942, reads:

"1. Remove all coal stored in cellar of theatre, under stage, and discontinue the storage of coal and other combustible material in cellar, under the stage.

Violation of Chapter C26-717.0,c of the Administrative Code."

and

WHEREAS, the applicant states the building is two stories (approximately 47 ft.) in height; 100 ft. 8½ in. by 162 ft. 6 in. in area; of Class 1 construction; equipped with a sprinkler system and a standpipe system; located in a business use district; erected 1914 and occupied as a theatre; and

WHEREAS, Violation No. 5316-42, issued June 15, 1942 by the Department of Housing and Buildings, reads:

"You will please take notice that there exists a violation of Section 12.8 of the Building Code and C26-728 of the Administrative Code at the premises above described, in that of storing coal under stage contrary to law."

and

WHEREAS, the applicant contends that in acting upon an appeal made by the governmental authorities that the property owners ordered and stored all coal necessary to properly heat buildings during the coming winter season, the applicant has installed the amount of coal which is in question; that the regular coal bins were of insufficient capacity for the storage of the necessary amount of coal ordered and the excess coal was stored and is now stored underneath the stage of the theatre in question; that under ordinary circumstances, coal is ordered as needed and only because of the emergency which now exists, the additional coal has been stored; that the theatre is equipped with a standpipe system and a sprinkler system, the sprinkler system being located in the ceiling of the basement directly over the coal bin; that the building is constructed fireproof throughout; that the basement floor is concrete; that the coal stored is anthracite coal and adequate ventilation can be provided by means of trap doors in the ceiling and by means of a door at the end of the room; and therefore the applicant requests in view of the present existing emergency, that it be permitted to continue the storing of coal as indicated.

Resolved, that the order of the fire commissioner, Order No. 660, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

547-42-A.

APPLICANT—Frank C. Keller, for Broadway and Ninety-Sixth Street Realty Company, owner.

SUBJECT—Application for consideration—reopening based on a new decision—re Appeal from an order of the fire commissioner; previously withdrawn.

PREMISES AFFECTED—2561-2567 Broadway, northwest corner of West 96th street (Block No. 1868, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: John E. Mason, Engineer, Fire Dept.

ACTION OF BOARD—Appeal reopened, restored to calendar and denied.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (547-42-A)

WHEREAS, Broadway and Ninety-Sixth Street Realty Company, owner, filed on July 8, 1942, an appeal from an order of the fire commissioner affecting 2561-2567 Broadway, northwest corner of West 96th street (Block No. 1868, Lot No. 6), Borough of Manhattan; and

WHEREAS, this appeal was withdrawn on July 23, 1942; and

WHEREAS, the applicant requested a reopening of this case and the restoration to the calendar; and

WHEREAS, Order No. 661 issued by the fire commissioner June 15, 1942, reads:

"An inspection made of your premises shows that the following item requires attention and correction, within five days:

1. Remove all coal stored in cellar of theatre, under stage, and discontinue the storage of coal and other combustible material in cellar, under the stage.

Violation of Chapter 26, Section 717.0 of the Administrative Code."

and

WHEREAS, the applicant states that the building is three stories, approximately 42 ft. in height; 100 ft. 11 in. by 150 ft. in area; of Class 1 construction; equipped with a standpipe and sprinkler system; erected 1911; located in a business use district and occupied as theatre, stores and offices; and

WHEREAS, Violation No. 5317-42, issued June 15, 1942, by the Department of Housing and Buildings, reads:

"You will please take notice that there exists a violation of Section 12.8 of the Building Code and C26-728 of the Administrative Code at the premises above described, in that of storing coal under stage is contrary to law."

and

WHEREAS, the applicant contends that in acting upon an appeal made by the governmental authorities that the property owners ordered and stored all coal necessary to properly heat building during the coming winter season, the applicant has installed the amount of coal which is in question; that the regular coal bins were of insufficient capacity for the storage of the necessary amount of coal ordered and the excess coal was stored and is now stored underneath the stage of the theatre in question; that under ordinary circumstances, coal is ordered as needed and only because of the emergency which now exists, the additional coal has been stored; that the theatre is equipped with a standpipe system and a sprinkler system, the sprinkler system being located in the ceiling of the basement directly over the coal bin; that the building is constructed of fireproof materials throughout; that the basement floor is concrete; that the coal stored is anthracite coal and adequate ventilation can be provided by means of trap doors in the ceiling and by means of a door at the end of the room; and therefore the applicant requests in view of the present existing emergency, that it be permitted to continue the storing of coal as indicated.

Resolved, that the order of the fire commissioner, Order No. 661 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

602-42-A.

APPLICANT—John F. Jackson, for Brooklyn and Queens Y.M.C.A., owner.

MINUTES

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order of the fire commissioner (previously dismissed for lack of prosecution).

PREMISES AFFECTED—1121-1125 Bedford avenue, northeast corner of Monroe street (Block No. 1812, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: John F. Jackson and Vincent Fleming.

ACTION OF BOARD—Appeal reopened, restored to calendar and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (602-42-A)

WHEREAS, John F. Jackson, for Brooklyn and Queens Y.M.C.A., owner, filed on July 20, 1942, an appeal from an order of the fire commissioner affecting premises 1121-1125 Bedford avenue, northeast corner of Monroe street (Block No. 1812, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this appeal was dismissed for lack of prosecution on July 28, 1942; and

WHEREAS, the applicant requested a reopening of this case and the restoration to the calendar; and

WHEREAS, Order No. 92379-LC, issued by the fire commissioner June 30, 1942, reads:

"With reference to application dated June 23rd, 1942, for a permit to store and use one cylinder of chlorine gas in the bathing pools, please be advised that the Fire Department is without power to issue such a permit.

A recent inspection of the premises shows that chlorine gas is being used in the Boys' Swimming Pool on the 3rd story, which is a violation of C19-95-d-4 of the Administrative Code.

The building is occupied for social, athletic, educational, religious and lodging purposes. This is a violation of C19-95-d-6 of the Administrative Code which reads as follows:

'No permit shall be issued for the storage or use of liquefied chlorine in any building used for a hotel, lodging house, tenement house, or dwelling, or in any building, lot or enclosure located within fifty feet of the nearest wall of a building occupied as a hospital, school, theatre or other place of public amusement or assembly.'

Section C19-95-d-4 of the Administrative Code reads as follows:

'No permit shall be issued for the use of liquefied chlorine above the grade floor, except in a building occupied exclusively by the person, firm or corporation using the liquefied chlorine and which is protected by an approved automatic sprinkler system.'

1. You are therefore ordered to remove all chlorine gas from the premises and to discontinue the further storage and use of chlorine gas on the premises."

and

WHEREAS, the applicant states that the building is 5 stories (70 ft.), in height, 75 ft. by 178 ft. in area, of Class 1 construction, equipped with a standpipe system, located in a business use district, occupied: cellar, swimming pool, lockers, restaurant, boiler room, bowling alleys, 163 persons; 1st floor, lobbies and auditorium, 700 persons; 2nd floor, clubs, auditorium, gallery, etc., 300 persons; 3rd floor, locker room, pool, bedrooms, 125 persons; 4th floor, gymnasium, bedrooms, 135 persons; 5th floor, bedrooms, 48 persons; and

WHEREAS, the applicant states that the work involved consists of erection of a 5 ft. by 6 ft. by 7 ft. room and the installation of liquefied chlorine gas unit; that the walls and ceilings are constructed of solid concrete; that the doors will be self-closing, fireproof; that lighting will be by electricity exteriorly controlled; that two sprinkler heads will be installed in the room controlled from the outside; that the entire work to be done will be in conformity with the rules of the Fire Department; and

WHEREAS, the applicant contends that this liquefied chlorine system was installed in 1923 and is used by the Brooklyn and Queens Y.M.C.A. which occupies the building exclusively; that the system is used for purifying the water in two swimming pools located in the building, one of which is on the 3rd floor and the other in the basement; that the chlorinating room is provided with a vent, 2 in. at base increased to 2½ inches and carried directly to an adjacent open court and thence to a point 4 ft. above the highest brook; that the vent is capped with a bull head T; that the room is drained and connected to sewer; that under these circumstances, the applicant requests permission to continue the use of the present chlorinating equipment including the storage of 100 lb. cylinder of chlorine, as shown on plans filed with this appeal.

Resolved, that the order of the fire commissioner, Order No. 92379-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than one 100 lb. cylinder of liquid chlorine shall be stored on the premises; that such cylinder shall be stored within a room in the basement as indicated on plans filed with this appeal; that such room shall be constructed of fireproof materials and vented to the outer air as shown; that an approved mixing valve shall be used in connection with the chlorine; that two shower heads shall be maintained within the room with a remote sprinkler control; that a gas mask as approved by the U. S. Bureau of Mines shall be maintained near the room in a marked cabinet; that the equipment and installation shall be maintained to the satisfaction of the fire commissioner; and that such equipment shall be under the control of a person holding a certificate of fitness issued by the fire commissioner.

APPLIANCE AND MATERIAL SUBMITTED FOR APPROVAL.

609-42-SA.

APPLICANT—Sanitary Sand Box Company, Agent for Chicago Cardboard Company, owner.

SUBJECT—Fire Warden Sand Box (Quartz Sand), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

335-42-SM.

APPLICANT—Voh's Chemical Works, owner.

SUBJECT—"Airaid-Fireblanket", approval of.

APPEARANCES—

For Applicant: Robt. L. Fairchild.

ACTION OF BOARD—Application withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

Adjourned: 4:10 P.M.

JOSEPH J. DOYLE, Chief Clerk

MINUTES

RECESSED MEETING

FRIDAY MORNING, SEPTEMBER 11, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

APPEALS FROM ADMINISTRATIVE DECISIONS

555-42-A.

APPLICANT—Alfred H. Eccles, for I. Miller and Sons, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles, Louis Ferman and Thomas M. Robertson.

ACTION OF BOARD—Laid over to September 18, 1942 at 10 A. M., for further consideration by the Board.

556-42-S.

APPLICANT—Alfred H. Eccles, for I. Miller and Sons, Incorporated.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles, Louis Ferman and Thomas M. Robertson.

ACTION OF BOARD—Laid over to September 18, 1942 at 10 A. M., for further consideration by the Board.

Adjourned: 10:45 A. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on March 17, 1942, as they appeared in Bulletin No. 12, Vol. 27, are hereby corrected to read as follows:

THE RESOLUTION—

(418-41-BZ)

WHEREAS, Jane Grillo, owner, filed May 6, 1941, an application under section 21 of the building zone resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles; premises 1480-1484 Coney Island avenue, west side, 440 ft. north of Avenue L (Block No. 6536, part of Lot No. 20), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, March 17, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Coney Island avenue is in a business use district; East 10th street is in a residence use

*Correction—The word "metal" changed to "wood" in line 57 of resolution.

district; Avenue K and Avenue L are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent on B. N. Application No. 217-41, dated April 29, 1941, reads:

"The storage or parking of more than five motor vehicles in a business use district is prohibited by Art. 2, Sect. 4a (15) of the Building Zone Resolution.

Note: Garage and repair shop building are the same as was before the Board of Standards and Appeals under Cal. No. 25-36-BZ."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. with a depth of 100 ft. Upon the south portion of the plot there is a one-story building, 22 ft. by 100 ft. in area, occupied as a garage for more than five (5) motor vehicles and a motor vehicle repair shop. It is proposed to use the remainder of the plot, having a frontage of 38 ft. on Coney Island avenue, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis to warrant exercise of discretion to grant under section 21 of the building zone resolution, and was therefore entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, to permit the plot with a frontage of 33 ft. and a depth of 100 ft. to be occupied for the transient parking of motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so parked and only those capable of operation; that the plot shall be leveled substantially to the grade of Coney Island avenue and shall be surfaced with concrete or asphalt; that no additional curb cuts shall be constructed other than the one now existing; that this lot shall not be used for other than the transient parking of motor vehicles as herein permitted and may be operated by the tenant of the adjoining building at No. 1484 Coney Island avenue, but shall not be used in conjunction with the use therein permitted; that the existing *wood* fence shall be maintained along the street building line; that all signs on this lot shall be removed and no signs shall be constructed or maintained except there may be a sign attached to the fence advertising the transient parking use and the rates charged, provided such sign does not exceed 15 sq. ft. in area and does not extend beyond the building line and is not illuminated; that adequate fences shall be maintained across the rear lot lines and along the side lot lines where walls of adjoining buildings do not occur; that proper bumpers shall be maintained against all fences and building for protection to same; that proper aisles shall be maintained at all times for easy entrance and egress; that no building shall be erected on the premises; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on March 31, 1942, as they appeared in Bulletin No. 14, Vol. 27, are hereby corrected to read as follows:

219-42-A.

APPLICANT—Sidney L. Strauss, for General Bronze Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

*Correction—Address changed from 78-17 to 79-17 Albion avenue.

MINUTES

PREMISES AFFECTED—79-17 Albion avenue, northwest corner of Queens Boulevard (Block No. 1536, Lot No. 101), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (219-42-A)

WHEREAS, Sidney L. Strauss, for General Bronze Corporation, owner, filed on March 19, 1942, an appeal from the decision of the borough superintendent; premises 79-17 Albion avenue, northwest corner of Queens boulevard (Block No. 1536, Lot No. 101), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 1292-42, dated March 12, 1942, reads:

"1. The maintenance of an open flame in connection with welding, within floor area where spraying is conducted, is contrary to Rule 6.1.8, Board of Standards and Appeals, Spray Rules."

and

WHEREAS, the applicant states that the building is one story (35 ft.) in height; 180 ft. by 97 ft. in area; of Class 1

construction; located in business and unrestricted use districts; erected about 1910; used as a marble factory, 10 persons. It is proposed to be occupied as a machine shop, 60 persons; and

WHEREAS, the applicant contends that the building is constructed entirely of incombustible materials with a monitor type roof, and will be used exclusively for the fulfillment of defense contracts for the U. S. Army; that the complete open air area affords an ideal assembly line and in the process to be carried on it is required that arc welding be done in the open floor area, and it will be also necessary to do certain spraying in this floor area; that no welding will be done within a distance of 30 ft. from the front of the spray booths; that the process of manufacture requires that articles to be sprayed must be conducted into the spray booths supported from monorails and thence through the rear wall of the booths.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 1292-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the spray booths shall be located in relation to the locations where welding is to be carried on as indicated on plan filed with the borough superintendent as acted on on March 12, 1942 and that no open flame shall be permitted within 35 ft. of such spray booths; that the spray booths shall comply with the rules of the Board in all respects; that in all other respects, the building and occupancy shall comply with all other laws, rules and regulations applicable thereto.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;

Boiler making;

Brick, terra cotta or artificial stone works;

Forge shops;

Foundries;

Iron, steel, brass or copper works;

Machine shops;

Smelting;

Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

BULLETIN

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CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Insulating Fibre Board Rules.

COURT DECISION

In the Matter of AAA Properties Inc. v. Murdock et al.:—On April 21, 1942, the Board denied an application, under Section 7h of the building zone resolution, for parking and storage of more than five (5) motor vehicles on a plot located partly in a business district and partly in an unrestricted district; Cal. No. 87-42-BZ; premises 3856-3872 Ninth Avenue, Borough of Manhattan. Supreme Court sustained the Board, stating in part: "The question was not 'whether some one else' had 'been favored.' The question was 'whether the petitioner' had 'been illegally oppressed'. The court may not substitute its judgment for that of the Board of Standards and Appeals in the absence of a gross abuse of discretion on the part of that tribunal and a showing of illegal oppression of the petitioner. Although petitioner has shown that it will suffer some hardship as the result of the ruling of the Board, it has failed to make out a case of illegal oppression." (New York Law Journal, August 15, 1942.)

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to September 15, 1942.

Cal. No. Dept. Premises Affected
662-42-A—H.B.B.—899 Kent avenue, east side, 287 ft. south of Myrtle avenue (Block No. 1912, Lot No. 10), Borough of Brooklyn, Misc. 8619-41.

663-42-BZ—H.B.Q.—90-17 71st avenue and 70-67 to 70-69 Walnut street, northwest corner (Block No. 3899, Lot No. 1), Forest Hills, Borough of Queens, Alt. 1309-42.

664-42-A—F.D.—1155-1205 Manhattan avenue and 93-99 Commercial street, northwest corner (Building No. 1, 5th floor); (Block No. 2472, Lot No. 350), Borough of Brooklyn, Decisions re 90885-C.

665-42-SA—Siph-O Universal Smooth Faucet Adapter, Appliance.

666-42-A—H.B.Q.—89-25 161st street, east side, 180.96 ft. south of 89th avenue (Block No. 9760, Lot Nos. 31 and 32), Jamaica, Borough of Queens, M-Applic. 3150-42.

667-42-BZ—H.B.B.—417 79th street, north side, 125 ft. east of Fourth avenue (Block No. 5970, Lot No. 79), Borough of Brooklyn, B. N. 1117-42.

668-42-A—H.B.Q.—41-06 DeLong street, west side, 142 ft. south of Port Washington Division of Long Island Railroad (Block No. 5066, Lot No. 25), Flushing, Borough of Queens, N. B. 1084-42.

669-42-BZ—H.B.Q.—40-11 Skillman avenue, north side, 545.51 ft. west of 43rd street (Block No. 183, Lot No. 290), Long Island City, Borough of Queens, M-Applic. 3858-42.

670-42-A—F.D.—2797 Third avenue, west side, 200 ft. south of East 148th street (Block No. 2327, Lot No. 28), Borough of The Bronx, 31842-L. C.

671-42-GR—Emergency Federal Specifications for Cement, General Resolution.

672-42-SA—Hypressure Jenny Steam Cleaner, Models JM and JL, Appliance.

673-42-A—H.B.B.—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn, Alt. 2132-42.

674-42-A—F.D.—51-30 Manila street, west side, 289.90 ft. south of 51st avenue (Block No. 2471, Lot No. 18), Elmhurst, Borough of Queens, 92768-L. C.

Restored to Calendar.

1030-41-A—F.D.—168-50 Jamaica avenue, south side, 178.86 ft. east of 168th place (Block No. 10210, Lot No. 26), Jamaica, Borough of Queens, 6334-L. F. and Decision

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

Last Publication in Bulletin

Blended Cements, Rules for Testing and Use of	Feb.	17, 1942—Vol. 27, No. 7
Carbon Dioxide Liquefier, Rules	Mar.	10, 1942—Vol. 27, No. 10
Certificates of Occupancy, approved form	Nov.	25, 1941—Vol. 26, No. 47
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June	24, 1941—Vol. 26, No. 25
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	June	16, 1942—Vol. 27, No. 24
Fire Alarm Rules (Interior)	Apr.	7, 1942—Vol. 27, No. 14
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Fire Retarding Rules for Garages, etc.	Dec.	16, 1941—Vol. 26, No. 50
Fireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 15
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Paint, Varnish and Lacquer Spraying Rules	Sept.	8, 1942—Vol. 27, No. 36
Platform Trucks, Specifications for	Nov.	24, 1936—Vol. 21, No. 42
Plumbing Rules	Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov.	25, 1941—Vol. 26, No. 47A
Procedure, Rules of	Sept.	7, 1937—Vol. 22, No. 30
Refrigerating Systems, Extract A.C.	Aug.	26, 1941—Vol. 26, No. 34
Smoking in Factories, Rules for	Sept.	15, 1942—Vol. 27, No. 33
Sprinkler Rules	June	29, 1937—Vol. 22, No. 20
Standpipe Fireline Rules	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June	7, 1932—Vol. 17, No. 22
Tank Trucks, Fuel Oil, etc.	Nov.	24, 1936—Vol. 21, No. 42
Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 42
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fireline Hose Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Burners for Industrial Use	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Pumps	Nov. 25, 1941—Vol. 26, No. 47A
Gas Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Paint, Varnish and Lacquer Spraying Equipment	Nov. 25, 1941—Vol. 26, No. 47A
Range Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Vacuum Breakers	Nov. 25, 1941—Vol. 26, No. 47A

SEPTEMBER 22, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provision of the zoning resolution, *Tuesday morning, September 22, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

530-42-BZ—Application, July 1, 1942, under section 71 of the zoning resolution, of Millard Henlein, applicant, of

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behalf of Board of Transportation, City of New York, owner (Abraham Goldenblum and Samuel Goldenblum, lessees), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 360-374 Sixth avenue, east side, from Washington place to Waverly place, 126-130 Waverly place and 87 Washington place (Block No. 552, Lot No. 37), Borough of Manhattan.

517-39-BZ—Application of Thomas I. Sheridan, applicant and owner, reopened May 7, 1940, under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19 to 26 inclusive and Lot No. 30), Astoria, Borough of Queens.

106-42-BZ—Application, February 5, 1942, under sections 7h and 21 of the zoning resolution, of Frank C. Keller, applicant on behalf of Louise Hauman, owner (Marie C. Schriber, executrix), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 23-16 Sound street, west side, 100.06 ft. north of Astoria boulevard (Block No. 781, Lot Nos. 33-37), Astoria, Borough of Queens.

363-42-BZ—Application, May 5, 1942, under sections 7e and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Ade, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

365-42-BZ—Application, May 5, 1942, under sections 7h and 21 of the zoning resolution, of Arnold W. Lederer, applicant on behalf of Isadore Cohen, owner (Joseph L. Hoffman, lessee), to permit partly in a residence use district and partly in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2826-2830 Nostrand avenue, west side, 128 ft. 8 in. south of Kings Highway and 2910-2922 Kings Highway (Block No. 7690, Lot No. 54), Borough of Brooklyn.

539-42-BZ—Application, July 6, 1942, under section 7h of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

648-42-BZ—Application, August 31, 1942, under sections 7c and 21 of the zoning resolution, of Frank Randazzo, applicant on behalf of Charles Arnoldson, owner, to permit in a business use district, the conversion of occupancy of a public garage (previously granted by the Board) to the manufacture of ferrous and non-ferrous metal products, with occasional welding incidental to said manufacture; premises 28-30 Quincy street, south side, 125 ft. 4 in. west of Classon avenue (Block No. 1972, Lot No. 17), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 22, 1942, 2 P. M.

Appeals from Administrative Decisions.

529-42-A—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn.

360-42-A—365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

359-42-S—365 Wythe avenue, east side 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

571-42-A—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens.

636-42-A—179-29 153rd road, north side, 265.06 ft. east of Lombard street (Block No. 4661, Lot No. 10), Jamaica, Borough of Queens.

673-42-A—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

Appliance and Materials for Approval.

954-38-SA—National Pumps Corporation's Gasoline Pumps, Models A-38, B-38, C-38 and CC-38.

1367-39-SM—Corkoustic.

10-40-SM—Forest Hills Concrete Block Company, Incorporated, Concrete and Cinder Blocks.

569-40-SM—Blue Ridge Corporation's Glass.

SEPTEMBER 29, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 29, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

442-42-BZ—Application, May 28, 1942, under section 7c of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

542-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Hagaman, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 936 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

376-42-BZ—Application, May 7, 1942, under section 7i of the zoning resolution, of Edward Handelman, applicant, on behalf of Clinton Building Company, owner (Clinton Garage, Incorporated, lessee), to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of part of an existing building; said building is used in part as a garage for more than five (5) motor vehicles; premises 8-16 Clinton street, west side, 34 ft. 5 in. south of Fulton street (Block No. 238, Lot No. 52), Borough of Brooklyn.

264-32-BZ—Application of Lama and Proskauer, applicants, on behalf of New York Bonded Warehouse, Incorporated, owner (David Levine, lessee), reopened April 7, 1942, under sections 7c and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and also, the parking of more than five (5) motor vehicles; premises 355-365 Kings Highway and 1741-

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1753 West 4th street, northeast corner (Block No. 6653, Lot No. 33), Borough of Brooklyn.

477-42-BZ—Application, June 16, 1942, under section 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Rose Rosenthal, Mollie Rosenthal, Mary Rosenthal and Paul Klindworth, owners (Harry Langbaum, d/b/a Cameo Motors, lessee, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles upon a plot used in part for the display and sale of used cars; premises 1287-1297 Coney Island avenue, east side, 320 ft. south of Avenue I (Block No. 6704, Lot Nos. 69 to 72, inclusive and part of Lot No. 73), Borough of Brooklyn.

291-42-BZ—Application, April 7, 1942, under section 21 of the zoning resolution, of Engadine Holding Corporation, applicant and owner, to permit in a residence use and, also, two (2) times height district, the maintenance of a glass enclosure on the 31st story of the existing (hotel) building; this enclosure is contrary to section 26 of the multiple dwelling law as the height of the building exceeds 178 feet and, also, contrary to the height regulations of the zoning resolution; premises 50-56 West 59th street, south side, 120 ft. east of Sixth avenue and 1430-1436 Sixth avenue (Block No. 1274, Lot No. 71), Borough of Manhattan.

498-42-BZ—Application, June 18, 1942, under section 7h of the zoning resolution, of Sidney Rossman, applicant, on behalf of Ella Morris, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 733-739 McDonald avenue, east side, 160 ft. north of Ditmas avenue (Block No. 5385, Lot No. 62), Borough of Brooklyn.

504-42-BZ—Application, June 23, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Lenfred Realty Corporation, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 42-46 (48-50 displayed) St. Paul's place, west side, 53 ft. 6½ in. north of Crooke avenue (Block No. 5059, Lot Nos. 40-42), Borough of Brooklyn.

510-42-BZ—Application, June 25, 1942, under section 7f of the zoning resolution, of Lewis S. Amster, applicant, on behalf of Elizabeth Thornton, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 191-195 City Island avenue and 102-110 Winter street, southwest corner (Block No. 5626, Lot No. 360), Borough of The Bronx.

408-42-BZ—Application, May 19, 1942, under section 21 of the zoning resolution, of S. Walter Katz, applicant, on behalf of The Gerry Estates, Incorporated, owner (I. A. Managament Corporation, lessee), to permit in a building located in a restricted retail use district, a proposed occupancy of 25% manufacturing on the 2nd to 7th stories; premises 65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

Appeal From Administrative Decision.

401-42-S—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 29, 1942, 2 P. M.

Appeals from Administrative Decisions.

561-42-A—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (1st floor, front room); (Block No. 1198, Lot No. 23), Borough of Manhattan.

Appliance and Materials for Approval.

665-42-SA—Siph-O Universal Smooth Faucet Adapter.

1077-39-SM—Simplex Felt Grease Treated W. S. Gaskets.

981-40-SM—Kaustine 275 Gallon Obround Fuel Oil Tank.

114-42-SM—Koven N. Y. C. Oil Separator.

417-42-SM—Alpha 550 Gallon Cylindrical Gasoline Storage Tank.

OCTOBER 6, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, October 6, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

474-42-BZ—Application, June 15, 1942, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Temple Beth-El, owner, to permit in a residence use and, also, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution; premises 121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

160-42-BZ—Application, February 20, 1942, under section 21 of the zoning resolution, of Oscar I. Silverstone, applicant, on behalf of Susan McPherson, owner, to permit in a residence use and F area district, the erection and maintenance of a one (1) family dwelling, not complying with the zone resolution as to required side yards and also, as to the occupied area of the lot; premises 3336 Bedford avenue, west side, 125 ft. south of Avenue L (Block No. 7642, Lot No. 52), Borough of Brooklyn.

548-42-BZ—Application, July 9, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Felix Vichione, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 492-500 Lorimer street and 56-62 Powers street, southeast corner (Block No. 2780, part of Lot No. 1), Borough of Brooklyn.

1294-39-BZ—Application, October 18, 1939, under section 21 of the zoning resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Company, Incorporated, owner, to permit in a business use district, the alteration and reconstruction of buildings now used as a public garage and, also, accessory building to a gasoline service station and, also, the extension of the area of the gasoline service station; premises 112-124 Flatbush avenue extension and 134-140 Tillary street, southwest corner (Block No. 132, Lot No. 14), Borough of Brooklyn.

557-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 95-07 63rd road, north side, 20.43 ft. west of 96th street (Block No. 2084, Lot Nos. 153, 155 and 156), Rego Park, Borough of Queens.

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558-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 101), Rego Park, Borough of Queens.

217-42-BZ—Application, March 18, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mollie Barth, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 158 East 205th street, south side, 80 ft. east of Grand Concourse (Block No. 3311, Lot No. 105), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 14, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Wednesday morning, October 14, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

559-37-BZ—Application of Samuels and Samuels, applicants, on behalf of, Fellman Realty Corporation, owner, reopened April 28, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

282-42-BZ—Application, April 6, 1942, under sections 7h and 21 of the zoning resolution, of Irving Kirshenblit, applicant, on behalf of Pauline Saltzman, owner, to permit in a business use district, the maintenance of an existing

garage for five (5) motor vehicles and also, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2181-2187 Pitkin avenue, north side, 25 ft. east of Bradford street (Block No. 3725, Lot No. 32), Borough of Brooklyn.

341-42-BZ—Application, April 24, 1942, under section 21 of the zoning resolution, of Ferdinand Savignano, applicant, on behalf of Mae Feiola, owner, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment; premises 59 Madison street, north side, 66 ft. 2 in. east of Oliver street (Block No. 279, Lot No. 31), Borough of Manhattan.

206-42-BZ—Application, March 16, 1942, under section 7f of the zoning resolution, of Frank C. Keller, applicant, on behalf of Henry Hiller, owner (Richfield Oil Corporation of New York, lessee), to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles upon an existing gasoline service station; premises 91-02 63rd drive, northeast corner of Alderton street (Block No. 3104, Lot No. 208), Rego Park, Borough of Queens.

402-42-BZ—Application, May 18, 1942, under section 7c of the zoning resolution, of Frank Flinker, applicant, on behalf of Morris Feuigersch, owner (Standard Tex and Kalsomine Company, lessee), to permit in a business use district, for a term of two (2) years, the sale and display of paint with 25% of the floor area used for paint mixing; premises 2542 (2540 displayed) Atlantic avenue and 47 Williams avenue, southeast corner (Block No. 3683, Lot No. 23), Borough of Brooklyn.

330-42-BZ—Application, April 22, 1942, under section 7c of the zoning resolution, of Eugene De Rosa, applicant, on behalf of Jeron Company, Incorporated, owner, to permit partly in a business use and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block No. 3080, Lot Nos. 30 and 31), Rego Park, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 15, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Wednesday morning, September 9, 1942 and Wednesday afternoon, September 9, 1942 and the recessed meeting of the Board held on Friday morning, September 11, 1942, were approved as printed in Bulletin No. 37, Vol. 27.

ZONING CASES.

264-32-BZ.

APPLICANT—Lama and Proskauer, for New York Bonded Warehouse, Incorporated, owner (David Levine, lessee).

SUBJECT—Application reopened April 7, 1942 (re decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence

use district, the extension of an existing gasoline service station and also, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—355-365 Kings highway and 1741-1753 West 4th street, northeast corner (Block No. 6653, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: George Langberg.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 29, 1942 at 10 A. M., at request of applicant.

559-37-BZ.

APPLICANT—Samuels and Samuels, for Fellman Realty Corporation, owner.

SUBJECT—Application reopened April 28, 1942 (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the park-

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ing and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 14, 1942 at 10 A. M. Applicant to be notified.

542-41-BZ.

APPLICANT—Dominic Russo (lessee), for Dominic Russo and Estate of Andrew Hagaman, owners.

SUBJECT—Application (re decision of the acting borough superintendent) under sections 7a and 7e of the zoning resolution, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop.

PREMISES AFFECTED—938 Richmond avenue, west side, 143.41 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Dominic Russo and Mr. Nicoli.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 29, 1942 at 10 A. M. for inspection by a Committee of the Board and decision by the Board. No further argument.

160-42-BZ.

APPLICANT—Oscar I. Silverstone, for Susan McPherson, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use and F area district, the erection and maintenance of a one (1) family dwelling, not complying with the zone resolution as to required side yards and, also, as to the occupied area of the lot.

PREMISES AFFECTED—3336 Bedford avenue, west side, 125 ft. south of Avenue L (Block No. 7642, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Solomon Millendorf, Jerome T. Nolon and George McPherson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 6, 1942 at 10 A. M.

376-42-BZ.

APPLICANT—Edward Handelman, for Clinton Building Company, owner (Clinton Garage, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7i of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of part of an existing building; said building is used in part as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—8-16 Clinton street, west side, 34 ft. 5 in. south of Fulton street (Block No. 238, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward Handelman.

For Opposition: Walter Bruchhausen.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 29, 1942 at 10 A. M. at request of objector's representative.

530-42-BZ.

APPLICANT—Millard Henlein, for Board of Transportation, City of New York, owner (Abraham Goldenblum and Samuel Goldenblum, lessees).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—360-374 Sixth avenue, east side, from Washington place to Waverly place, 126-130 Waverly place and 87 Washington place (Block No. 552, Lot No. 37), Borough of Manhattan.

APPEARANCES—

For Applicant: Millard Henlein.

For Opposition: Louis Jackson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 22, 1942 at 10 A. M. for further consideration and decision by the Board. No further argument.

684-28-BZ.

APPLICANT—Lama and Proskauer, for John Feitner, owner.

SUBJECT—Application reopened May 20, 1941 (re decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles, on an existing gasoline service station.

PREMISES AFFECTED—740-744 5th avenue and 322-332 24th street, southwest corner (Block No. 652, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Paul Nemser.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (684-28-BZ)

WHEREAS, this application permitting in a business use district, the erection and maintenance of a gasoline service station affecting premises 740-744 5th avenue and 322-332 24th street, southwest corner (Block No. 652, Lot No. 39), Borough of Brooklyn, was granted by the Board on May 28, 1929, on certain conditions, time extended and plans approved on November 26, 1929; and

WHEREAS, the applicant requested a reopening of the application and an amendment of the resolution, to permit on an existing gasoline service station, the parking and storage of more than five (5) motor vehicles in addition to the present use; and

WHEREAS, this application was reopened by vote of the Board on May 20, 1941, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 15, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

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WHEREAS, the use district maps accompanying the zoning resolution show that 5th avenue is in a business and residence use district; 24th street is in a business, unrestricted and residence use district; 25th street is in a business use district; and

WHEREAS, the decision of the borough superintendent, dated June 24, 1942, on B.N. Applic. No. 919-41, reads:

"Parking and storage of more than 5 motor vehicles on existing gas station in a business zone is contrary to Art. 11, sec. 4, par. 15 of Zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. 2 in. on 5th avenue and 100 ft. on 24th street; occupied as a gasoline service station. It is proposed to use part of the plot, as shown upon plans filed with this application, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 28, 1929, as amended November 26, 1929, so that as amended the resolution shall read:

"*Granted on condition* that the structure shall be constructed as proposed as indicated on plans filed with this application and as approved by the Board on November 26, 1929, and shall be restricted to one story in height, and shall be finished on the exterior throughout with face brick and shall be roofed with terra cotta tile or variegated slate; that the service greasing pits shall be enclosed on the front with arched openings; that entrances to the premises shall not exceed four, two from Fifth avenue, with curb cuts not over 20 ft. in width each, and two from 24th street, with curb cuts one 26 ft. in width and one 21 ft. in width; that no curb cuts shall be nearer than 10 ft. to the southerly interior lot line of the street intersection, and no curb cut on 24th street shall be nearer than 6 ft. from the street intersection; that a block of concrete shall be erected at the intersection not less than 5 ft. in length along either street line; that such block shall be not less than 12 in. in height and may be triangular or segmental in shape; that no pumps shall be erected nearer than 12 ft. to the Fifth avenue building line and not nearer than 10 ft. to the 24th street building line; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to the illuminated globes of the pumps, except there may be erected at the intersection within the building line, a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance of more than 5 ft., excluding all temporary signs and all roof signs; that the plot shall be surfaced, where not occupied by accessory buildings and pumps, with concrete, Colprovia or other suitable impervious material; that parking and storage of more than five motor vehicles may be permitted on the premises under section 7, subdivision c, provided such motor vehicles are of the pleasure car type only, and only when in condition for operation, provided such parking and storage is restricted to the spaces as indicated on revised plan marked "Received May 7, 1941"; that there shall be erected on the street building line opposite such spaces, a concrete curb not less than 12 in. in height and 12 in. in width on an adequate foundation, except that such curb may be omitted where directly opposite the curb cut from 24th street; that no automobile repairing shall be carried on; that no portable gasoline tanks shall be used on or from the premises; that all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution."

192-36-BZ.

APPLICANT—Kaye, Scholer, Fierman and Hays, for The Marguerite Corporation, owner.

SUBJECT—Application reopened September 9, 1941 (re decision of the acting borough superintendent) under section 7a of the zoning resolution, to permit in a residence use district the extension of an existing factory building.

PREMISES AFFECTED—801 Bartholdi street, northeast corner of Barnes avenue (Block No. 4633, Lot No. 11), Borough of The Bronx.

APPEARANCES—

For Applicant: Sherwood Maggin and James H. Carver, Jr.

For Opposition: Anthony C. Consentino and Gustave Goldman, Board of Education.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (192-36-BZ)

WHEREAS, this application permitting in a residence use district, the extension of an existing factory building affecting premises 801 Bartholdi street, northeast corner of Barnes avenue (Block No. 4633, Lot No. 11), Borough of The Bronx, was granted by the Board on September 29, 1936, on certain conditions and resolution amended on December 8, 1936; and

WHEREAS, the applicant requested a reopening of the application and a further amendment of the resolution, to permit a further extension of the existing factory building; and

WHEREAS, this application was reopened by vote of the Board on September 9, 1941, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 15, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Barnes avenue and Bronxwood avenue are each in a residence and business use district; Magenta street and Bartholdi street are each in a residence use district; and

WHEREAS, the decision of the borough superintendent, dated July 10, 1941, on Alt. Applic. No. 94-41, reads:

"1. Proposed extension of a factory in a residential district is contrary to Article 2, Section 3 of Zoning Resolution of May 29th, 1940."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 240 ft. on Barnes avenue, 120 ft. on Bartholdi street and 120 ft. on Magenta street. Upon the plot there is located a one story, non-fireproof lace factory, 212 ft. by 43 ft. in area. It is proposed to increase the area of the building by the addition—at the south end of the building—of a one story, non-fireproof extension, 28 ft. by 43 ft. in area; and

WHEREAS, the premises and the surrounding area were previously inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7, subdivision a of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-a thereof, *on condition* that the proposed extension shall not exceed the area indicated on plans filed herewith marked "Received July 30, 1941"; that it shall be of Class 3 construction and occupied only in conjunction with the factory as office there-

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for and room for mending lace; that the building shall not otherwise be increased in height or area; that all existing signs on the premises not related to the factory use shall be removed and no additional signs shall be maintained; that the windows in the proposed extension facing Bartholdi street shall be glazed with translucent glass; that no new entrance to premises on Barnes avenue or Magenta street shall be constructed or maintained; that the entire building shall be protected with a sprinkler system within two years from the date of this resolution; that this variance shall continue only so long as the premises are used as at present for the manufacture of lace and similar material; that such portable fire-fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work completed within six (6) months from the date of this resolution.

Adjourned: 11:15 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 15, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

662-26-BZ.

APPLICANT—George H. Cohn, for Cities Service Oil Company, owner.

SUBJECT—Application for consideration—reopening and rehearing under alleged new facts—re Application (decision of the acting borough superintendent) previously denied under section 7f of the zoning resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPEARANCES—

For Applicant: George H. Cohn.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative: Commissioner Savage 1
Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3

THE RESOLUTION (662-26-BZ)

WHEREAS, this application under Section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, affecting premises 3504-3510 Boston road and 3410 Eastchester road, southwest corner (Block No. 4723, Lot No. 66), Borough of The Bronx, was denied by the Board on December 21, 1926; and

WHEREAS, this application was reopened under Section 7-g of the zoning resolution and granted by the Board on March 15, 1927, on certain conditions, for a temporary period of two (2) years, subsequently the permit was extended for another two (2) years on April 9, 1929; and

WHEREAS, on January 15, 1935, the Board extended the permit for another period of two (2) years; and

WHEREAS, the owner requested a reopening of this case under Section 21 of the zoning resolution, to permit the permanent maintenance of this gasoline service station and

the application was denied by the Board on December 14, 1937 and the Board's action was subsequently affirmed by the Courts; and

WHEREAS, the owner requested a reopening of the application under Section 7-f of the zoning resolution, to permit the erection and maintenance of a gasoline service station for a stated term of years and the Board denied this application on June 2, 1942; and

WHEREAS, George H. Cohn, for Cities Service Oil Company, present owner, requested a reopening and rehearing under alleged new facts, to permit under Section 7-f of the zoning resolution, the erection and maintenance of a gasoline service station for a stated term of years; and

WHEREAS, the Board deemed that no substantial new facts were presented as would differentiate the application from the previous application and that the application would therefore not be accepted.

Resolved, that the request for reopening be and it hereby is denied.

262-32-BZ.

APPLICANT—Mary Walsh, for Edward J. Walsh and Mary Walsh, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) under section 7f of the zoning resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Mary Walsh.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (262-32-BZ)

WHEREAS, the application, affecting premises southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond, was granted by the Board September 23, 1932, for a temporary period of two (2) years, the period extended October 23, 1934, October 6, 1936, September 13, 1938 and September 17, 1940 and the owner requested a further extension.

Resolved, that the Board of Standards and Appeals do hereby amend the resolution adopted on September 23, 1932 as amended through September 17, 1940, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

“... Granted under section 7f for a term of two (2) years from the date of this amended resolution”

332-33-BZ.

APPLICANT—Isidore Cohen, for S. M. and M. Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, for a period of five (5) years, the change of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—14 West 66th street, south side, 225 ft. west of Central Park West (Block No. 1118, Lot No. 42), Borough of Manhattan.

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APPEARANCES—

For Applicant: Isidore Cohen.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (332-33-BZ)

WHEREAS, this application affecting premises 14 West 66th street, south side, 225 ft. west of Central Park West (Block No. 1118, Lot No. 42), Borough of Manhattan, was granted by the Board on February 27, 1934, on certain conditions, resolution amended on May 1, 1934 and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 27, 1934, as amended on May 1, 1934, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"... *Granted* for a term of five (5) years from the date of this amended resolution, *on condition* . . ."

82-36-BZ.

APPLICANT—Joseph B. Lynch, for Holze Realty Corporation, owner.

SUBJECT—Application for consideration—reopening, extension of permit and amendment of resolution—re Application (decision of the commissioner of buildings) previously granted on condition, under section 21 of the zoning resolution, permitting in a business use district, for a term of five (5) years, the maintenance of a saw and planing mill.

PREMISES AFFECTED—206-24 to 206-26 Northern boulevard, south side, 117 ft. 6 in. east of 206th street (Block No. 3148, Lot Nos. 9½, 59 and 60), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: Jos. B. Lynch.

ACTION OF BOARD—Application reopened, resolution amended and permit extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (82-36-BZ)

WHEREAS, this application affecting premises 206-24 to 206-26 Northern boulevard, southside, 117 ft. 6 in. east of 206th street (Block No. 3148, Lot Nos. 9½, 59 and 60), Bayside, Borough of Queens, to permit partly in a business use district and partly in a residence use district the maintenance of a lumber storage shed and saw and planing mill, was denied by the Board, November 10, 1936, reopened December 15, 1936 and on February 2, 1937, granted by the Board on certain conditions; and

WHEREAS, the applicant requested an amendment of the resolution and an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 2, 1937, so that as amended the resolution shall read:

"*Granted* under Section 21, to permit the existing wood working factory to be continued for a term of five (5) years from the date of this amended resolution in the building located at 206-24, 206-26 Northern boulevard, as shown on plans filed with this application; that the sawdust exhaust to cyclone shall be maintained and may be continued at its present location, within the terms of this permit, immediately behind the rear of the building under appeal; that such portable fire extinguishing equipment shall be installed

as the commissioner shall direct; that in the event the adjoining premises to the west are under the same ownership, the enclosing wall or fence at the rear separating such lot from the lot on which the building in question is erected may be omitted provided such building to the west is occupied for residential purposes in connection with this business occupancy on the upper story and as a conforming business occupancy on the first story."

569-37-BZ.

APPLICANT—Flatbush Coal and Coke Corporation, for Sophie Galumbeck, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution as to time to complete—re Application (decision of the acting borough superintendent) previously granted under section 7c of the zoning resolution, permitting in a residence use district, the operation of coal pockets, coal storage, truck driveway and railroad siding.

PREMISES AFFECTED—2030-2044 McDonald avenue, west side, 339 ft. 6 in. north of Avenue S and 49-57 Lake street (Block No. 6680, Lot Nos. 23, 124 and 125), Borough of Brooklyn.

APPEARANCES—

For Applicant: B. L. Galumbeck.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (569-37-BZ)

WHEREAS, Lama and Proskauer, for Sophie Galumbeck, owner (Flatbush Coal and Coke Corporation, lessee), filed December 2, 1937, an application under the building zone resolution, to permit in a residence use district, the operation of coal pockets, coal storage, truck driveway and railroad siding; premises: 2030-2044 McDonald avenue, west side, 339 ft. 6 in. north of Avenue S and 49-57 Lake street (Block No. 6680, Lot Nos. 23, 124 and 125), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board on February 15, 1939, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 15, 1939, only so far as it has reference to obtaining permits and completing the work, so that as amended this portion of the resolution shall read:

"In view of the statement by the lessee that a portion of the work has been completed, that the balance of the work will be completed as soon as the materials can be obtained; that all permits shall be obtained and all work completed within one (1) year from the date of this amendment."

595-37-BZ.

APPLICANT—Arthur W. Renander, for Eleanor Hedwig Arnold, Sicko Realty Corporation and L. K. F. Realty Company, Incorporated, owners (Nunley Parking Company, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings), previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—170-15 to 170-21, 171-01 to 171-19, 172-01 to 172-25 and 173-05 to 173-13 Hillside avenue, north side, 56.51 ft. west of Kingston

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road (Block No. 896, Lot Nos. 42, 48 and Block No. 923, Lot Nos. 1, 10, 14 and 17), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Wm. A. Eckert.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (595-37-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 170-15 to 170-21, 171-01 to 171-19, 172-01 to 172-25 and 173-05 to 173-13 Hillside avenue, north side, 56.51 ft. west of Kingston road (Block No. 896, Lot Nos. 42 and 48 and Block No. 923, Lot Nos. 1, 10, 14 and 17), Jamaica, Borough of Queens, was granted by the Board November 9, 1938, on certain conditions, permit extended September 10, 1940, and the applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on November 9, 1938, only so far as it has reference to term of the permit, so that as amended that portion of the resolution shall read:

"granted, under section 7, subdivision h for a term of two (2) years from the date of this *amended resolution*."

100-38-BZ.

APPLICANT—J. Jacques Stone, for Gotham Parking Corp., lessee.

SUBJECT—Applicant for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—11-17 West 35th street, north side, 200 ft. west of Fifth avenue and 12-14 West 36th street, south side, 219 ft. west of Fifth avenue (Block No. 837, Lot Nos. 31, 32, 33, 34, 54 and 55), Borough of Manhattan.

APPEARANCES—

For Applicant: Eugene Tuck.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (100-38-BZ)

WHEREAS, this application, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 11-17 West 35th street, north side, 200 ft. west of Fifth avenue, and 12-14 West 36th street, south side, 219 ft. west of Fifth avenue (Block No. 837, Lot Nos. 31, 32, 33, 34, 54 and 55), Borough of Manhattan, was granted by the Board September 27, 1938 on certain conditions, permit extended September 10, 1940 and the owner requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on September 27, 1938, only so far as it has reference to term of per-

mit, so that as amended that portion of resolution shall read:

"*granted*, under section 7, subdivision h, for a term of two (2) years from the date of this *amended resolution*."

127-38-BZ.

APPLICANT—James Russell Ashley, for Elmtree Realty Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—195-201 West 237th street, northeast corner of Broadway (Block No. 3270, Lot No. 40), Borough of The Bronx.

APPEARANCES—

For Applicant: James Russell Ashley.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (127-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years; premises 195-201 West 237th street, northeast corner of Broadway (Block No. 3270, Lot No. 40), Borough of The Bronx, was granted by the Board May 24, 1938, on certain conditions, permit extended September 10, 1940 and the applicant requested an extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 24, 1938, only so far as it refers to the term of the permit, so that as amended this portion of the resolution shall read:

"*granted* under section 7h for a temporary term of two (2) years from the date of this *amended resolution*."

523-38-BZ.

APPLICANT—Sidney L. Strauss, for George Ehret Properties, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—23-22 to 23-30 31st street, north side, 100 ft. east of 23rd road (Block No. 842, Lot No. 80), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Application reopened, resolution amended and permit extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (523-38-BZ)

WHEREAS, this application under section 7h of the building zone resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of

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not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 23-22 to 23-30 31st street, north side, 100 ft. east of 23rd road (Block No. 842, Lot No. 80), Long Island City, Borough of Queens, was granted by the board May 31, 1939, on certain conditions, time extended October 17, 1939 and April 23, 1940 and resolution amended April 22, 1941 and the applicant requested a further amendment of the resolution and extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 31, 1939, as amended by resolutions of April 23, 1940 and April 22, 1941, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted under section 7h, to permit the premises within the business use district to be occupied for the parking and storage of more than five (5) motor vehicles for a term of two (2) years from the date of this amended resolution, on condition that the existing repair shop towards the rear of the plot and the two story brick building and fence on the street line shall be completely removed; that the one story brick building at the building line may be retained, provided it is used for a conforming use only; that this portion of the plot within the business use district shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on the interior lot lines where walls of existing brick buildings do not occur, a substantial woven wire fence not less than 6 ft. in height; that a similar fence shall be erected across the property on a line separating the business use from the residence use district; that a similar fence shall be erected along the street line of 31st street; that the entrance to the premises shall be solely from the adjoining lot under lease to this applicant at a distance back from 31st street of approximately 50 ft.; that no additional curb cuts shall be installed other than those now existing in the existing gasoline service station; that only motor vehicles of the pleasure car type shall be so stored or parked, excluding trailers; that during the term of this variation, the premises shall be used for no other use; that no access shall be had from this plot for parking to the rear of the premises in the residential district; that no signs shall be erected on the premises, except there may be a sign adjoining the gasoline station, advertising the parking and storage use, provided such sign does not extend beyond the building line and does not exceed 15 sq. ft. in area; that proper aisles shall be maintained at all times for easy entrance and exit; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that proper bumper blocks shall be installed along the interior lot lines, to prevent damage to the adjacent buildings; that no lighting shall be installed, except there may be one light at the entrance to the parking lot from the adjoining lot, such light to have a metallic reflector so arranged as to reflect away from the adjoining occupancies to the east and north; that all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution.

Resolved further, that in the event the owner desires to leave a portion of the wall of the brick building on the lot line up to a height of 6 feet, such brick wall may be retained and be accepted in lieu of the woven wire fence hereinbefore required and that the balance of the interior lot line to the north and west in lieu of the woven wire fence shall have a sheet metal fence constructed of steel of the same height as required for the woven wire fence, provided such sheet metal fence is constructed of galvanized iron."

705-38-BZ.

APPLICANT—George Rubinfeld, for Flushing Community Parking, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete (time having expired on July 29, 1942)—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—136-23, 136-27 and 136-31 38th avenue, north side, 208.88 ft. east of Main street and 136-30, 136-34, 136-36 and 136-38 37th avenue, south side, 276.65 ft. east of Main street (Block No. 4978, Lot Nos. 15, 17, 69, 70 and 72), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Geo. Rubinfeld.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (705-38-BZ)

WHEREAS, this application, to permit in a business use district the parking and storage of more than five (5) motor vehicles, premises 136-23, 136-27 and 136-31 38th avenue, north side, 208.88 ft. east of Main street and 136-30, 136-34, 136-36 and 136-38 37th avenue, south side, 276.65 ft. east of Main street (Block No. 4978, Lot Nos. 15, 17, 69, 70 and 72), Flushing, Borough of Queens, was granted by the Board May 9, 1939, on certain conditions, under section 7h of the building zone resolution, the time to obtain permits and complete the work extended April 2, 1940, January 7, 1941 and April 29, 1941 and applicant requested a further extension of time to obtain permits and complete the work and an extension of the temporary permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on May 9, 1939, as amended through April 29, 1941, only so far as it has reference to the term of the permit and the completion of the work, so that as amended this portion of the resolution shall read:

"... Granted for a term of two (2) years from the date of this amended resolution, and on condition that all permits shall be obtained and all work completed within six months from the date of this amended resolution . . ."

943-38-BZ.

APPLICANT—Joseph Bernfeld, for Frank Nardone, lessee.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of borough superintendent) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—43-25 43rd street, east side, 150 ft. south of 43rd avenue (Block No. 162, Lot Nos. 9, 11 and 17), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Jos. Bernfeld.

ACTION OF BOARD—Application reopened and resolution amended.

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THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (943-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises: 43-25 43rd street, east side, 150 ft. south of 43rd avenue (Block No. 162, Lot Nos. 9, 11 and 17), Long Island City, Borough of Queens, was granted by the Board July 11, 1939, on certain conditions, permit extended September 30, 1941 and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 11, 1939, as amended on September 30, 1941, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h, for a term of two (2) years from September 30, 1941, permitting the plot under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure car type shall be so stored and parked; that the premises shall be leveled substantially to the grade of 43rd street; that there shall be erected on the interior lot lines a substantial woven wire fence not less than 6 ft. in height and that a similar fence shall be erected on the street building line with not over two (2) openings therein, each not over 15 ft. in width, with curb cuts opposite of similar width; that during the term of this variance, the premises shall be used for no other use than as herein permitted; that no building shall be erected thereon, except there may be erected a building to be used as office and shelter for the attendant, which building shall not exceed one (1) story in height, not over 150 sq. ft. in area, and which may be of frame construction; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that any lights for general illumination shall be on pipe standards, so arranged with metallic reflectors so as to reflect away from the adjoining residential occupancies; that signs shall be restricted to one sign attached to the fence at each entrance, advertising only the parking and storage use; that such signs shall not exceed 15 sq. ft. each, shall not extend beyond the building line and shall not be illuminated; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

Resolved further, that the variance granted on July 11, 1939 applies only to Lot No. 9 with a frontage of 50 ft. and a depth of 95 ft., on condition that the requirements of the resolution adopted by the Board on July 11, 1939 shall be complied with in all respects except that there shall be but one (1) opening in the curb for entrance opposite the approximate center of the premises and not over 15 ft. in width.

Resolved further, that in lieu of the open woven wire fence hereinbefore required, there may be erected a substantial wood fence constructed in accordance with the detailed drawing marked 'Received August 31, 1942', and all points where fences are hereinbefore required."

828-41-BZ.

APPLICANT—Central James Corporation, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1906 Cornaga avenue, northeast corner of Beach 19th street (Block No. 48, Lot No. 1), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Mortimer A. Harrison.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (828-41-BZ)

WHEREAS, Max Horn, for Central James Corporation, owner, filed September 26, 1941, an application under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1906 Cornaga avenue, northeast corner of Beach 19th street (Block No. 48, Lot No. 1), Far Rockaway, Borough of Queens, and

WHEREAS, this application was granted by the Board on February 24, 1942, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on February 24, 1942, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h thereof for a term of two (2) years from February 24, 1942, to permit the parking and storage of more than five (5) motor vehicles, *on condition* that the plot shall be leveled substantially to the grade of the surrounding streets and shall be properly surfaced with steam cinders, clean gravel or other suitable material properly rolled and treated with an asphalt binder; that there shall be erected on the street building lines a substantial woven wire fence not less than 6 ft. in height with no openings therein except one to Cornaga avenue and one to Beach 19th street for entrance and exit; that such entrances shall not exceed 25 ft. in width with curb cut opposite not to exceed such width; that on the interior building lines where walls of adjoining buildings do not exist there shall be erected a similar fence or tight-board fence; that proper bumpers shall be installed against the interior lot lines for protection to adjoining buildings and against the fence for protection to same on the street building lines; that during the term of this permit the premises shall be occupied for no use other than as herein permitted and no buildings shall be erected except that there may be a building not over 100 sq. ft. in area and not over one story in height erected near the entrance to be used solely as an office and shelter for the attendant; that such building may be of frame; that no signs shall be erected on the premises except that there may be a sign attached to each entrance advertising the parking and storage use and the free parking use during the day and the rates charged for night storage provided such signs do not exceed 15 sq. ft. each in area and do not extend beyond the building

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lines and are not illuminated; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances shall be furnished and maintained as the fire commissioner shall direct; that only cars of the pleasure car type shall be so parked or stored and only those capable of operation; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution; that upon completion of the work in accordance with this resolution, a photograph shall be furnished showing the completed condition.

Resolved further, that in lieu of the fence hereinbefore required there may be erected a fence consisting of 2 x 4 wood railing on 4 x 4 posts, and not less than 3 ft. in height, and that such fence shall be kept painted, on condition that additional rail and pickets not less than 6 in. on centers shall be attached, provided that such work is completed within one (1) year from the date of this amended resolution."

1070-41-BZ.

APPLICANT—Paul Friedman, for George I. Laird, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete (expired September 10, 1942)—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting partly in a business use district and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3010-3012 Fulton street and 233-241 Linwood street, southeast corner (Block No. 3956, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1070-41-BZ)

WHEREAS, Paul Friedman, for George I. Laird, owner, filed December 10, 1941, an application under section 7h of the building zone resolution to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3010-3012 Fulton street and 233-241 Linwood street, southeast corner (Block No. 3956, Lot No. 43), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board on March 10, 1942 on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on March 10, 1942, only so far as it has reference to obtaining permits and completing the work, so that as amended this portion of the resolution shall read:

"... that all permits required and all work shall be completed within two (2) months from the date of this amended resolution. . . ."

213-42-BZ.

APPLICANT—William S. Worrall, Jr., for Cord-Meyer Development Company, owner (Forest Hills Material Company, lessee).

SUBJECT—Application for consideration—reopening and extension of time to complete (expired September 7 1942)—re Application (decision of the borough

superintendent) under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—69-02 to 69-40 Austin street and 102-30 to 102-38 69th (Stafford) avenue, southeast corner (Block No. 3234, Lot No. 110 and part of Lot No. 150), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Wm. S. Worrall, Jr.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (213-42-BZ)

WHEREAS, William S. Worrall, Jr., for Cord-Meyer Development Company, owner, filed on March 18, 1942, an application under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 69-02 to 69-40 Austin street and 102-30 to 102-38 69th (Stafford) avenue, southeast corner (Block No. 3234, Lot No. 110 and part of Lot No. 150), Forest Hills, Borough of Queens; and

WHEREAS, this application was granted by the Board on July 7, 1942, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on July 7, 1942, only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"... that all permits shall be obtained and all work completed within two (2) months from the date of this amended resolution. . . ."

APPEALS FROM ADMINISTRATIVE DECISIONS.

359-42-S.

APPLICATION—William Welge, for Marie L. Welge, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—365 Wythe avenue, east side, 77 ft. 2 in. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 22, 1942, at 2 P. M., for inspection by a Committee of the Board and decision by the Board.

360-42-A.

APPLICANT—William Welge, for Marie Welge, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—365 Wythe avenue, east side, 77 ft. 2 in. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 22, 1942, at 2 P. M., for inspection by a Committee of the Board and decision by the Board.

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529-42-A.

APPLICANT—Sidney L. Strauss, for Clarostat Manufacturing Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42-44-45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

ACTION OF BOARD—Laid over to September 22, 1942, at 2 P. M., for inspection by a Committee of the Board and decision by the Board.

561-42-A.

APPLICANT—Anthony J. Yaconetti, for Jennie Pica, adjoining property owner.

OWNER OF PREMISES—Margaret Hoffman.

SUBJECT—Appeal from a decision of the borough superintendent re Revocation of Alt. Applic. No. 367-42.

PREMISES AFFECTED—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony J. Yaconetti.

For Owner: Edward J. Stark, Meyer Hoffman, Ralph Bochino and Thos. F. Duggan.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 29, 1942, at 2 P. M., for further consideration by the Board.

571-42-A.

APPLICANT—Colonial Pipe and Supply Corporation, lessee, for Insular Lumber Sales Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 192 and 20), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Julius Holzberg.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to September 22, 1942, at 2 P. M., for inspection by a Committee of the Board and decision by the Board.

573-42-A.

APPLICANT—A. Rothenberg, lessee, for H. Edgerton, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—983 McDonald avenue, east side, 22 ft. south of Webster avenue (Block No. 5419, part of Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abe Rothenberg.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Placed on Reserve Calendar, pending filing of application by manufacturer for general approval.

568-42-A.

APPLICANT—F. Klebold, for Queensboro Lumber Company, owner (Technical Appliance Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—41-06 DeLong street, west side, 142 ft. south of Port Washington Division of Long Island railroad (Block No. 5066, Lot No. 25), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Ferdinand Klebold, Charles Hendry, Jr., Malcolm B. Hendry and B. H. Woden.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 18, 1942, at 10 A. M., pending an inspection by a Committee of the Board.

1075-41-A.

APPLICANT—Roe, Kramer and McKenna, for Waldron Homes, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—56-04 and 56-08 197th street, southwest corner of Hollis Court boulevard and west side of 197th street, 363.13 ft. north of 58th avenue (Block No. 5684, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Clinton T. Roe.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1075-41-A)

WHEREAS, Roe, Kramer and McKenna for Waldron Estates, Inc., owner, filed December 12, 1941, an appeal from a decision of the borough superintendent; premises 56-04 and 56-08 197th street, southwest corner of Hollis Court boulevard and west side of 197th street, 363.13 ft. north of 58th avenue (Block No. 5684, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applications 5570 and 5571-41, dated December 3, 1941, reads:

"1. The erection of a frame building within the fire limits is contrary to section 4.1.2 Building Code."

and

WHEREAS, the applicant states that the premises consist of a plot fronting 86.14 ft. on 197th street and 85 ft. on Hollis Court boulevard, located in a residence and business use D area district, which it is proposed to divide into two separate lots and to erect on each lot a 1½ story frame 1-family dwelling, 25 ft. by 38 ft. in area, 25 ft. in height and a private garage; of Class 3 construction, 12 ft. by 20 ft. in area, except that the front gable of the garages will be of frame construction; that the buildings will be set back from 197th street a distance of 20 ft. into which setback front entrances and bay windows will project approximately 5 ft. and chimney breasts approximately 2 ft.; that the corner building will be set back from Hollis Court boulevard a distance of 20 ft. into which front entrance may project approximately 5 ft.; that a rear yard will be provided along the southwesterly lot line of the corner building for a width of 4 ft. 4 in. and a side yard will be provided along the northerly side of the corner dwelling 17 ft. in width; that dwelling to be located 50.31 ft. southwest of Hollis Court boulevard will have a side yard not less than 5 ft. in width on the easterly side and not less than 10 ft. average in width on the westerly side; that garages to be located not nearer than 1 ft. to side or rear lot lines; that dwellings to be surfaced on the exterior to the plate line with masonry veneer with frame siding and wood siding and asbestos shingles or stucco above and roofs shall be

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surfaced with approved asphalt or natural slate shingles; that garages will be of masonry construction, except for the front gable, which will be surfaced with wood and roofs surfaced with approved asphalt shingles or natural slate; and

WHEREAS, the applicant contends that the premises form part of a residential development, which is subject to restrictions on record in the Queens County Register's Office, which permit improvement solely with wholly detached one-family dwellings; that the use of the plot for business purposes is impractical; that to be required to comply with the Building Code will work a hardship on the owner by reason of the excessive cost of the building materials required to conform with said provisions of the Code for buildings located in the fire limits.

Resolved, that the decision of the borough superintendent, acting on N.B. Applications 5570 and 5571-41, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the buildings and occupancy shall comply with the requirements for similar buildings when erected outside the fire limits; that open spaces around each building shall be maintained as indicated on plans filed herewith marked "Received January 5, 1942" and "August 18, 1942"; that the garage on each lot may be constructed as proposed as accessory to the dwelling on each lot, which shall be for one-family occupancy only.

377-42-A.

APPLICANT—Sidney H. Kitzler, for Fetner and Goldberg, owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—249-255 Varet street, north side, 175 ft. east of White street (Block No. 3110, Lot No. 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (377-42-A)

WHEREAS, Sidney H. Kitzler for Fetner and Goldberg, owners, filed on March 8, 1942, an appeal from an order and decision of the fire commissioner, affecting 249-255 Varet street, north side, 175 ft. east of White street (Block No. 3110, Lot No. 28), Borough of Brooklyn; and

WHEREAS, Order No. 6475-LF, issued by the fire commissioner May 14, 1941, and referred to in a decision of the fire commissioner, dated April 29, 1942, reads:

"1. Repair or replace the missing and defective shutters with proper iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings, and which are not more than 50 ft. above a neighboring roof at east, west and north sides of building or other approved protection. Section 491A-2-2.0 Chapter 19, Administrative Code."

and

WHEREAS, the applicant states that the building is four stories (48 ft.) in height; 63 ft. by 84 ft. in area; of Class 3 construction, equipped with a sprinkler system; located in an unrestricted use district; erected 1911, and used throughout for light manufacturing, and occupied as follows: first floor, 15 persons; second floor, 15 persons; third floor, 30 persons; fourth floor, 24 persons; and

WHEREAS, the applicant contends that there is a side court on each side of the building and a yard in the rear; that it is proposed to replace all existing wood windows through-

out with steel windows glazed with wire glass, as soon as official permission can be obtained to procure the required materials; that it is impossible to procure the necessary iron shutters; that it is requested that the Board grant permission to do the work outlined and to grant the time necessary to complete the work, taking into consideration that the materials required will not be released until after the war.

Resolved, that the order of the fire commissioner, No. 6475-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 1, for a term of two years from the date of this resolution, only so long as the building in the rear facing on Moore street has windows in the rear wall of steel sash and wire glass and such building is sprinklered; that no additional buildings are constructed nearer than those now existing to the west, on condition that the building shall not be increased in height and area; that within two (2) years, fireproof windows shall be installed to comply with the lawful requirements proposed under Alteration Application 1079-42; that the sprinkler system and fire alarm system in the building shall be maintained and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

378-42-A.

APPLICANT—Sidney H. Kitzler, for Fetner and Goldberg, owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—257-261 Varet street, north side, 175 ft. 1 in. west of Bogart street (Block No. 3110, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

For Administration: Thos. A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (378-42-A)

WHEREAS, Sidney H. Kitzler for Fetner and Goldberg, owners, filed on May 8, 1942, an appeal from an order and decision of the fire commissioner affecting premises 257-261 Varet street, north side, 175 ft. 1 in. west of Bogart street (Block No. 3110, Lot No. 25), Borough of Brooklyn; and

WHEREAS, Order No. 6931-LF, issued by the fire commissioner July 28, 1941, and referred to in a decision of the fire commissioner dated April 29, 1942, reads:

"2. Repair or replace the (missing-defective) shutters with proper iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at West, North and East sides of building, or other approved protection. Sec. 491-A-2-2.0 Ch. 19, Adm. Code."

WHEREAS, the applicant states that the building is four stories (48 ft.) in height; 60 ft. by 84 ft. in area; of Class 3 construction; located in an unrestricted use district; erected 1912, and used throughout for light manufacturing and occupied by 20 persons on the first floor; 30 persons on the second floor; 30 persons on the third floor; 30 persons on the fourth floor; and

WHEREAS, the applicant contends that there is a side court on each side of the building and a yard in the rear; that it is proposed to replace all existing wood windows throughout with steel windows glazed with wire glass, as soon as official permission can be obtained to procure the required materials; that it is impossible to procure the necessary iron shutters; that it is requested that the Board

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grant permission to do the work outlined and to grant the time necessary to complete the work, taking into consideration that the materials required will not be released until after the war.

Resolved, that the order of the fire commissioner, No. 6931-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to Objection No. 2, for a term of two (2) years from the date of this resolution, only so long as the building in the rear facing on Moore street has windows in the rear wall of steel sash and wire glass; that no additional buildings are constructed nearer than those now existing to the east; that such buildings shall remain sprinklered, as indicated on plans filed with this appeal; and, *on condition* that the building shall not be increased in height and area and that within two (2) years, fireproof windows shall be installed as proposed under Alteration Application No. 1132-42; that the fire alarm system shall be maintained and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

483-42-A.

APPLICANT—Frank C. Keller, for Ford Instrument Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—31-10 Thompson avenue, south side, from 31st street to 31st place (Block No. 278, Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and R. A. Caughey.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy	4
Negative:	0

THE RESOLUTION (483-42-A)

WHEREAS, Frank C. Keller, for Ford Instrument Company, owner, filed on June 17, 1942, an appeal from an order and decision of the fire commissioner, affecting premises 31-10 Thompson avenue, south side, between 31st street and 31st place (Block No. 278, Lot No. 9), Long Island City, Borough of Queens; and

WHEREAS, Order No. 8354-LF, issued by the fire commissioner March 25, 1942, and referred to in a decision of the fire commissioner dated June 15, 1942, reads:

"5. Provide 100 approved water buckets in basement and 100 approved water buckets on the first floor, 33 approved water buckets on the 2nd floor, 15 approved water buckets on the third floor and 15 approved water buckets on the 4th floor.

Note: Buckets to be marked 'fire' with letters not less than 2½" in height, kept full of clean water and not to be used for any other purpose. Buckets to be placed on permanent shelves, hooks and racks same to be not less than two feet nor more than four and one-half feet above the floor. Section C19-161.0 Adm. Code."

and

WHEREAS, the applicant states that the building is four stories (52 ft. 6 in.) in height; 199 ft. 11¾ in. by 440 ft. 9 in. in area; of Class 1 construction; equipped with a sprinkler system, standpipe system, and erected in 1919 and located in an unrestricted use district, and occupied: cellar, factory 457 persons; first floor, assembly, 510 persons; second floor, office and paint shop, 171 persons; third floor, office and spare parts, 65 persons; fourth floor, office, 150 persons, that it is proposed to be occupied—cellar, same,

500 persons; first floor, same, 650 persons; second floor, same, 220 persons; third floor, same, 160 persons; fourth floor, same, 160 persons; and

WHEREAS, the applicant contends that the Army and Navy Departments, for whom the owner has devoted their entire production facilities, have ordered that all sand or water buckets be eliminated, as both the machinery and highly delicate instruments can easily be sabotaged with sand and water; that it is proposed to install 15 lb. CO₂ containers throughout the building and soda and acid in the carpenter shop in such quantities as are required by the fire commissioner or based on recommendations of the National Board of Fire Underwriters; and

WHEREAS, the applicant has filed a copy of a communication from the War Department, recommending that the sand or water buckets be eliminated and one 15 lb. carbon dioxide extinguisher be provided for each 2500 sq. ft. of floor area on each floor of the plant, in addition to the extinguishers already provided or specifically recommended to be located at other points.

Resolved, that Order No. 8354-LF of the Fire Commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the pails of sand required by the fire commissioner may be eliminated, provided CO₂ extinguishers of approved type substituted in such areas as the fire commissioner shall direct; that in such portion of the factory where water pails may be maintained with the approval of the War Department, such pails shall be furnished and maintained as the fire commissioner shall direct; that this variation shall continue only during the present war emergency, that in all other respects the building and occupancy shall comply with the occupancy as approved by the Department of Housing and Buildings under Alteration Application 2931-41.

493-42-A.

APPLICANT—Brewster Aeronautical Corporation, lessee, for Ford Motor Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—32-14 Northern boulevard, southwest corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Merwin Lewis, Robert Welch, William Landrey and Frank Majer.

For Administration: Thomas A. Larkin, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy	4
Negative:	0

THE RESOLUTION (493-42-A)

WHEREAS, Brewster Aeronautical Corp., lessee, for Ford Motor Company, owner, filed June 17, 1942, an appeal from an order of the fire commissioner affecting premises 32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens; and

WHEREAS, Order No. 8590-LF, issued by the fire commissioner April 28, 1942, reads:

"1. Arrange the standpipe system to conform to the requirements of Article 17 or Chapter 26 of the Administrative Code of the City of New York by complying with the following orders:

(a) Provide a reserve of 2500 gallons of water for standpipe system.

Note:—File plans for standpipe system. Said plans must be filed and approved by the Department of Housing and Buildings. Chapter 26, Art. 16, Administrative Code.

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(b) Disconnect standpipe system from 10" manifold in cellar which is a by-pass to sprinkler system.

Note:—File plans for standpipe system. Said plans must be filed and approved by the Department of Housing and Buildings. Chapter 26, Art. 16, Administrative Code.

(c) Provide pressure reducing valves at all standpipe risers outlet on 2nd, 1st and cellar floor where static pressure is over 55 lbs.

(d) Provide separate siamese connection for standpipe and sprinkler systems.

2. Remove all hose connections from sprinkler system on all stories. Section 16 & 17 Ch. 26, Adm. Code."

and

WHEREAS, the applicant states that the building is 8 stories (125 ft.) in height, 312 ft. by 187 ft., irregular, in area, of Class 1 construction, equipped with sprinkler system and a standpipe system, erected in 1914, located in an unrestricted use district and occupied: sub cellar, boiler room, 3 persons; cellar, storage of sheet metal and paint, 50 persons; 1st floor, factory, 200 persons; 2nd floor, factory and offices, 440 persons; 3rd floor, factory, 470 persons; 4th floor, factory, 420 persons; 5th floor, factory, 490 persons; 6th floor, factory, 430 persons; 7th floor, factory and offices, 485 persons; 8th floor, factory and offices, 330 persons; and

WHEREAS, the applicant contends that the present sprinkler and standpipe system was approved many years ago and at that time conformed with all existing laws; that the order would require the present system to be radically changed in order to comply with the existing laws; that the present system affords protection, which is substantially equivalent to that which would be afforded if a new system were installed to comply with the order.

Resolved, that Order No. 8590-LF of the fire commissioner be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing combination standpipe and sprinkler system shall be maintained to the satisfaction of the fire commissioner and in compliance with the requirements of the Factory Mutual Insurance Association; that a new certificate of occupancy giving the correct structural classification of the building and the permitted occupancy shall be obtained to supersede Certificate of Occupancy No. Q-2022, issued July 11, 1921; that pressure reducing valves at all standpipe risers shall be installed where static pressure exceeds 55 lbs.; that where temporary partitions extend to the ceiling or within 18 in. thereof, the sprinkler heads shall be rearranged or new sprinkler heads added so as to comply with the requirements; that the building in all other respects shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 494-42-S and 1084-41-A.

494-42-S.

APPLICANT—Brewster Aeronautical Corporation, lessee, for Ford Motor Company, owner.

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 21), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Mervin Lewis, Robert Welch, Wm. Landrey and Frank Majer.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (494-42-S)

WHEREAS, Brewster Aeronautical Corporation, lessee, for Ford Motor Company, owner, filed June 17, 1942, an application for the variation of the requirements of the Labor Law as cited in a decision of the borough superintendent, affecting premises 32-14 Northern boulevard, southeast corner of Honeywell street (Block No. 214, Lot No. 210), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, Misc. Applic. No. 1980-42, dated May 15, 1942, reads:

"1. The erection of stud partitions in a fireproof factory building is contrary to Section 264, paragraph 6 of the Labor Law."

and

WHEREAS, the applicant states that the building is 8 stories (125 ft.) in height, 312 ft. by 187 ft. irregular in area, of class one construction erected 1914, located in a non-restricted use district, and occupied as follows: Sub-cellar boiler room—3 persons, sheet metal shop paint shop—50 persons, First floor—factory—200 persons, second floor—factory and offices—440 persons, third floor—factory—470 persons, fourth floor—factory—420 persons, fifth floor—factory—490 persons, sixth floor—factory—430 persons, seventh floor—factory and offices—480 persons, 8th floor—factory and offices—330 persons; that the building is equipped with a sprinkler system, standpipe system, and interior fire alarm system; that there are eight 44 in. interior fireproof stairs and two fire escapes which extend to roof by stairs on two grade by counter balanced stairs and that the windows on the course are kalamein frames glazed with wire glass; and

WHEREAS, the applicant contends that the major portion of the partitions affect the enclosed tool cribs and stock rooms and consist of wire mesh on 2 in. by 4 in. wood studs and due to the fact that it is essential that persons in these enclosures be seen from the outside, it is necessary that these partitions be of this type; that the remainder of the partitions in question are constructed of "sheet rock", "Celotex", "Beaver board", or "plywood" and are used to enclose temporary offices; that these partitions are necessary to separate the production from the offices and to minimize the noise which would seriously interfere with office work, and that all of the partitions involved were erected with the intention that they would be maintained solely for the duration of the emergency; that the occupant has contracts with the United States Navy and the Navy requires that parts manufactured for it be segregated and securely locked and it is for this reason that many of the temporary partitions are required; that the building is fireproof, sprinklered, and equipped with a standpipe system and adequate fire extinguishers are maintained throughout the premises.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Misc. Applic. No. 1980-42, Obj. No. 1, and that the application be and it hereby is *granted on condition* that no additional partitions not in compliance with the requirements shall be installed; that the existing partitions as indicated on plans filed with this application, marked "Received June 17, 1942" shall conform in construction with the description thereon; that all such partitions not in lawful compliance with the requirements, shall be removed within two (2) years from the date of this resolution; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable other than as modified by the Board under Cal. No. 493-42-A and 1084-41-A.

537-42-A.

APPLICANT—Carl Ankenbrand, owner.

SUBJECT—Appeal from a decision of the borough superintendent

PREMISES AFFECTED—137-07 New York boulevard, west side, 40 ft. south of 137th avenue (Block No.

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3076, Lot No. 8), South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Carl Ankenbrand, Joseph B. Jer-

For Administration: Fred Dahlem, Dept's of

Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (537-42-A)

WHEREAS, Carl Ankenbrand, owner, filed July 3, 1942, an appeal from a decision of the borough superintendent, premises 137-07 New York boulevard, west side, 40 ft. south of 137th avenue (Block No. 3076, Lot No. 8), South Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent acting on Alt. Applic. 1115-42, dated June 10, 1942, reads:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2-Building Code."

and

WHEREAS, the applicant states that the building is one story in height, 32 ft. by 32 ft. 4 in. in area, of Class 4 construction; to be erected on a plot 40 ft. by 100 ft. in area; in a business use district; and

WHEREAS, applicant contends that he is the owner of a one-story frame dwelling located at 114 Damson street, South Jamaica, which lot was taken by the city for the Idlewild Airport site; that it is proposed to move said building to premises in question and occupy same as a one-family dwelling; that the roof is covered with asphalt shingle roofing and the exterior walls are surfaced with insulated brick siding; that it is proposed to alter the building, by adding a hall in the center at a point where the building was severed in moving; that the majority of the buildings along New York boulevard in this locality are of wood construction; that the property in the rear of the premises in question is not in the fire limits; that for these reasons the granting of this appeal is requested, so as to permit the construction and alteration of the building as proposed and as shown on plans filed with the borough superintendent.

Resolved, that the decision of the borough superintendent, acting on Alteration Application 1115-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall comply in all other respects with the requirements for a similar building when erected outside the fire limits; that the building shall be restricted to the use of one-family only; that no other building except a private garage accessory to the dwelling shall be erected on the plot.

608-42-A.

APPLICANT—Albert San Fanandre, for Edward D. Lynch, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—198 Beach 114th street, southeast corner of Rockaway Beach boulevard (Block No. 658, Lot No. 1), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Albert San Fanandre and Edward D. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (608-42-A)

WHEREAS, Albert San Fanandre, for Edward D. Lynch, Inc., owner, filed August 5, 1942, an appeal from a decision of the borough superintendent, premises 198 Beach 114th street, southeast corner of Rockaway Beach boulevard (Block No. 658, Lot No. 1), Rockaway Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. No. 1341-42, dated September 11, 1942, reads:

"1. Proposed change of occupancy of frame dwelling within fire limits to a business use is contrary to sect. 4.1.5 and 4.2.1 of N. Y. C. Building Code.

3. 75 lb. live load not acceptable for commercial occupancy.

4. Wood floors and girders, first floor, weak for live load of 100 lbs."

and

WHEREAS, the applicant states that the building is basement, 2½ stories (32 ft.) in height, 31 ft. by 37 ft. in area; of Class 4 construction; erected in 1911; located on a lot 55 ft. by 60 ft. in area, in a business use district and used as follows: Basement—unfinished—storage; 1st floor, doctors' offices; 2nd floor, and attic combine, 1 family dwelling; that it is proposed to be used: Basement same; 1st floor, funeral parlor, 25 persons; 2nd floor and attic, one family dwelling; and

WHEREAS, the applicant contends that it is requested the Board permit change of occupancy from doctor's residence to funeral parlor and residence to be occupied solely by the applicant; that the structure will be used in conjunction with present undertaker's establishment in L. I. City, where all embalming will be done; that surrounding business structures are of frame construction and therefore it is requested permission be granted to proceed with proposed alterations as shown on plans filed with borough superintendent; that the vacant plot adjoining on the west is owned by the same owner and it is intended at a later date to erect a new funeral home thereon; that the present building shall be converted to residence use on the completion of the new building; that due to the size of the rooms and the area of the building and the light occupancy, it is requested that objections 3 and 4 be granted by the Board so as to permit the acceptance of the present 75 lb. liveload; and

WHEREAS, examination of Building Dept.'s records indicates that the building is located 4 ft. north of the southerly lot line and is set back from Beach 114th street a distance of 16 ft. and from Rockaway Beach boulevard a distance of 15 ft. into which setback attached private garage will project.

Resolved, that the decision of the borough superintendent, acting on Alteration Application No. 1341-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall be occupied only as proposed with the number of persons in the funeral parlor at no time exceeding twenty (20); as to objections 3 and 4, *on condition* that the main first floor shall be reinforced to the satisfaction of the borough superintendent so as to provide for a liveload per superficial foot of not less than 100 lbs.; that an additional exit as proposed, shall be provided and all existing exits shall be maintained; that the use of these premises for a funeral home, as proposed, shall terminate upon the erection of the proposed funeral home building on the adjoining lot under the same ownership; that the garage shall be used solely as accessory to the proposed residential occupancy of the second story; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1030-41-A.

APPLICANT—Brooklyn Trust Company, owner.

SUBJECT—Application for consideration—reopening on a new proposal—re Appeal from an order and a decision of the fire commissioner; previously denied.

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PREMISES AFFECTED—168-50 Jamaica avenue, south side, 178.86 ft. east of 168th place (Block No. 10210, Lot No. 26), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: H. T. Jeffrey, Jr., Edwin T. See, E. L. Pruden.

ACTION OF BOARD—Appeal reopened, restored to calendar and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1030-41-A)

WHEREAS, Henry T. Jeffrey, Jr., for Brooklyn Trust Company, as certificate trustee, owner, filed November 27, 1941, an appeal from an order and a decision of the fire commissioner; premises 168-50 Jamaica avenue, south side, 178.86 ft. east of 168th place (Block No. 10210, Lot No. 26), Jamaica, Borough of Queens; and

WHEREAS, this appeal was denied by the Board on December 16, 1941 and the applicant requested a reopening of the appeal on a new proposal; and

WHEREAS, Order No. 6334-LF issued by the fire commissioner April 21, 1941, and referred to in a decision of the fire commissioner dated November 12, 1941, reads:

"1. Provide throughout building a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. C19-161.0 Administrative Code."

and

WHEREAS, the building is 3 stories (35 ft.) in height; 29.61 ft. by 100 ft. in area; of Class 3 construction; located in a business use C area district; erected in 1927; and occupied: cellar, boiler-room; 1st floor, store 3 persons; 2nd floor, showroom, 2 persons; 3rd floor, light manufacturing, 3 persons; no change in use or occupancy is proposed; and

WHEREAS, the applicant contends that the building is occupied by one tenant who uses part of the top floor for manufacturing and alteration of mattresses; that in view of the fact that the building is not excessive in area or height, and only 3 people are generally employed on the top floor, reconsideration is requested to permit a sprinkler installation on the top floor.

Resolved, that the order of the fire commissioner, Order No. 6334-LF, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the order shall be complied with within two years from the date of this resolution; that meanwhile a non-automatic sprinkler system shall be installed throughout the cellar complying with the requirements therefor, except that there may be a single hose inlet installed at the street building line; that the water flow alarm may be omitted, provided there is a thermostatic alarm maintained throughout the building connected to fire headquarters through approved Central Station; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1109-41-A.

APPLICANT—John Rannells, for Matthew Ury and Anna C. Ury, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—6005 Independence avenue, situated on a right-of-way located 189.17 ft. south of West 261st street and 100 ft. west of Independence avenue (Block No. 3426, part of Lot No. 608), Borough of the Bronx (under section

36, General City Law—re proposed erection of a building not fronting on a legally mapped street).

APPEARANCES—

For Applicant: Sol L. Firstenberg.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1109-41-A)

WHEREAS, this appeal from a decision of the borough superintendent for an application for permission to erect a building on a lot which does not front on a legally mapped street pursuant to power vested in the Board under section 36 of the General City Law as cited in a decision of the borough superintendent affecting premises 6005 Independence avenue situated on a right-of-way located 189.17 ft. south of West 261st street and 100 ft. west of Independence avenue (Block No. 3426, part of Lot No. 608), Borough of The Bronx, was granted by the Board February 17, 1942, on certain conditions, resolution amended May 12, 1942 and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on February 17, 1942, as amended on May 12, 1942, only so far as it has reference to the Preamble Clause setting forth the dimensions of the plot, so that as amended this portion of the whereas clause shall read:

"... located on a lot with front line and rear line 50 ft. in width, and with the easterly lot line 105.08 ft. and the westerly lot line 104.76 ft. . . ."

423-42-A.

APPLICANT—Mr. George W. Swiller, for Hebrew Home for Invalids, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the acting borough superintendent; previously granted.

PREMISES AFFECTED—1776-1786 Clay avenue, northeast corner of Prospect place (Block No. 2891, Lot Nos. 37, 42, 43, 49), Borough of The Bronx.

APPEARANCES—

For Applicant: George W. Swiller.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner Savage and Deputy Chief Murphy 3
Negative: Commissioner Blum 1

THE RESOLUTION (423-42-A)

WHEREAS, George W. Swiller, for Hebrew Home for Invalids, owner, filed on May 22, 1942 an appeal from a decision of the borough superintendent; premises 1776-1786 Clay avenue, northeast corner of Prospect place (Block No. 2891, Lot Nos. 37, 42, 43, and 49), Borough of The Bronx; and

WHEREAS, this appeal was granted by the Board on June 30, 1942, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 30, 1942, so that as amended, the resolution shall read:

"Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 248-42, Objection No. 4, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the building shall

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be maintained substantially as proposed; that an additional doorway from the first floor to grade toward the southerly side shall be constructed and maintained; that windows on the northerly side adjacent to the lot line shall be either bricked up or filled in with approved glass block; that the building shall otherwise be maintained substantially as proposed, and in all other respects shall comply with all laws, rules and regulations applicable thereto; and *granted* only so long as this building is used in conjunction with the other buildings on the plot as indicated on plans filed with the Board under Cal. No. 990-41-A and 185-38-A.

Resolved further, that the occupancy of the reading room shall not exceed the occupancy as proposed, namely 50 persons, consisting of members of the institution."

GENERAL RESOLUTION.

671-42-GR.

SUBJECT—Adoption of General Resolution relative to the Emergency Federal Specification for Cement.

ACTION OF BOARD—General Resolution adopted.

THE VOTE TO ADOPT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (671-42-GR)

WHEREAS, under War Production Board Order L-179, paragraph 3033.1, cement manufacturers are restricted to the manufacture of cement complying with Emergency Alternate Federal Specification for cement, namely, Portland E-SS-C-191b, Portland E-SS-C-201a, Portland E-SS-C-206a, or equivalent A.S.T.M. Emergency Alternate Specifications, issued August 3, 1942.

Resolved, that all approvals issued by the Board for cements coming within the purview of the above listed Federal or equivalent A.S.T.M. Alternate Emergency Specifications shall be accepted if in compliance therewith for the duration of the war emergency in lieu of compliance with the Board's approval, and that certified monthly mill reports, as required under the approval of the Board, shall be continued and shall indicate compliance with the aforesaid Specifications as same may be applicable.

Adjourned: 5:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING

FRIDAY MORNING, SEPTEMBER 18, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

APPEALS FROM ADMINISTRATIVE DECISIONS.

655-42-A.

APPLICANT—Alfred H. Eccles, for I. Miller and Sons, Inc.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (655-42-A)

WHEREAS, Alfred H. Eccles, for I. Miller and Sons, Inc., owner, filed September 2, 1942, an appeal from a decision of the borough superintendent affecting premises 43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated August 31, 1942, on Alt. Applic. No. 1571-42, reads:

"1. Proposed frame construction on the roof of an existing six-story factory is contrary to Sec. 4.1.2, 10.12.1, B. C.

2. Live loads of 40 and 100 lbs. per sq. ft. for factory work is contrary to Sec. 7.3.2.3, B. C. The minimum permissible live load is 120 lbs. per sq. ft.

4. The following must extend to new construction:
a. Standpipe system."

and

WHEREAS, the applicant states that the building is 7 stories (80 and 94 ft. 6 in.) in height; 220 ft. by 140 ft. in area; of Class 1 construction; equipped with a sprinkler system, and standpipe system; erected in 1924; located in an unrestricted use district and occupied throughout as a factory with employees' restaurant on the 7th floor; occupied: 40 persons in the cellar, 150 persons on the first floor; 200 persons on the second floor, 200 persons on the third floor, 200 persons on the fourth floor; 225 persons on the fifth floor; 160 persons on the sixth floor; and 400 persons in the employees' restaurant on the 7th floor; that it is proposed to erect two structures on the roof of the present building of non-fireproof materials and occupy the proposed extensions and existing employees' restaurant portion for the manufacture of parachute envelopes; and

WHEREAS, the applicant contends that the additional floor space is required to comply with the terms of the Government contract; that the new spaces will be used for the manufacture of parachute envelopes for the duration of the war and the roof structure will be removed at the end of the war; that the building is 7 stories, of fireproof flat slab construction, designed for a live load of 150 lbs. and a roof load of 40 lbs.; that the floors are loaded below the 150 lbs. design load and it is proposed to reduce the loading on the 5th and 6th floors to 120 lbs. per sq. ft. so as not to overload the columns; that the floors of the new roof structures are designed for a 40 lb. live load, which is less than the required load for factory purposes, but because of the extreme light weight of the product and the equipment, there will never be more than 40 lbs. live load on the roof extensions; that the existing portion of the 7th floor is good for 100 lbs. live load; that the building is sprinklered, equipped with a standpipe system, interior alarm system and fire drills are maintained; that the exits are in excess of the requirements for the proposed occupancy and the areas in question will be served by stairways; that the new roof structure will be carried on wood or steel girders, supported on present columns; that the floor will be constructed of wood floor beams as well as the roof; that side walls will be constructed of 2 x 4 studs 16 in. on center with the spaces between studs filled with rock wool packed to a density of 6 lbs. per cu. ft.; that inside surface of the walls and roofs will be covered with sheet rock and roofing will be either corrugated or asbestos sheet; that outside surface of walls will be either corrugated iron or transite; that sides and bottom of the lower chord of the truss will be covered with one-half in. asbestos board; that the new roof structures will have two exits and a sprinkler system will be provided and the interior alarm will be extended in the structures; that the materials and methods of

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constructions as proposed will provide for sufficient safeguards against fire, so as to be in practical compliance with the requirements of the Building Code for buildings of this height and area; that the existing 100 lbs. live load in the restaurant portion shown on plans filed with the borough superintendent as Unit A and the proposed live load of 40 lbs. in the new portions shown as Units B and C on plans, will be more than adequate by reason of the nature of the work involved and the spacing of the machinery will be as shown on plans filed with the borough superintendent; that the nature of the work requires the use of large tables and light sewing machines by reason of their area, force the reduction of the portion of the floor devoted to human occupancy to a practical minimum; that it is requested that the existing standpipe outlets as shown on plans, be accepted as it is believed that they are in practical compliance with the requirements of the Administrative Code.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 1571-42, Objection Nos. 1, 2 and 4, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed new structure shall be substantially as indicated on revised plans marked "Received September 18, 1942", designated "Column Location Plan and Plan of Two Roof Structures, 2 Sheets", and in accordance with scheme thereon identified as "B", except that the roof enclosure may be of one-inch concrete plank and the floor shall be of 2-inch concrete plank instead of gypsum; that the column loadings, stresses and floor loadings of the building may be computed in accordance with the permissive requirements of the present Administrative Building Code; that no combustible wood shall be used in construction, except the furring strips on the interior and exterior walls and on the interior of the ceiling for use as nailing strips, not over $\frac{7}{8}$ inches in thickness for the proposed surfacing and for wood floors; that the roof girders shall be constructed of steel or fireproofed wood or a combination of both; that the sprinkler system in the building shall be extended to cover the entire proposed roof structures; that the standpipe outlets now existing at three points on the roof may be continued in their present location; that the new floor construction shall be such as to provide for a liveload of not less than 40 lbs. per superficial foot, and that at no time shall any portion of the floor be loaded to exceed such load; that the existing structural conditions of the existing building shall be maintained to the satisfaction of the borough superintendent, including additional structural loading and the floors shall be so posted in accordance therewith; that all storage of baled material shall be maintained within the existing portion of the roof structure, having a loading capacity of 100 lbs. per superficial foot; that the walk-ways shown to be provided around all sides of the roof structure for access to existing exits may be constructed of one-inch concrete plank in lieu of iron slats or may be of iron slats provided they are spaced not more than three-quarters of an inch apart; that in the event the surfacing of such walk-ways is of the one-inch concrete plank, a non-slip wearing surface of asphalt or cement or other equivalent material shall be applied; that the exterior windows throughout shall be of steel sash, glazed with wire glass; that the interior fire alarm system shall be extended to include the proposed additional story; that such portable fire fighting equipment shall be maintained as the Fire Commissioner shall prescribe; that the drying well indicated to be carried above the proposed roof shall be of similar construction as above provided; that all doors installed shall be fireproof, self-closing; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that this variance is *granted on condition* that within one year after the end of the present war emergency the roof structures herein proposed shall be demolished and removed from the present building and the original condition

of the building restored and meanwhile shall be occupied for no other use than as herein proposed.

656-42-S.

APPLICANT—Alfred H. Eccles, for I. Miller and Sons, Inc.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (656-42-S)

WHEREAS, Alfred H. Eccles, for I. Miller and Sons, Inc., owner, filed September 2, 1942, an application for variation of the requirements of the Labor Law, affecting premises 43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated August 31, 1942, on Alt. Applic. No. 1571-42, reads:

"3. Proposed frame construction on the roof of an existing 6 story factory is contrary to Sec. 270 Labor Law since all buildings more than four stories in height are required to be fireproof throughout.

5. Passageways on the roof leading to stairways must be enclosed in fireproof construction (270 L.L.).

6. Entrance doors to water closets are not remote and are within 10 ft. of each other, therefore is contrary to Rule 107 and 106, Industrial Code."

and

WHEREAS, the applicant states that the building is equipped with a sprinkler system, standpipe system, interior fire alarm system and fire drills are maintained; three 44 in. fireproof stairs extending from roof bulkhead direct to street and one exterior stairs in court extending to roof by stairs and to grade by stairs with access to street through open driveway; and that windows and doors on the course are fireproof and self-closing; and

WHEREAS, the applicant contends that it is proposed to construct two structures on the roof of the building in question, as shown on plans filed with the borough superintendent and as fully described in Cal. No. 655-42-A; and

WHEREAS, the applicant contends as to Objection No. 3, that the construction as proposed, will be in compliance with the legislative intent although not in strict compliance with the Labor Law; that the applicant has carefully studied the priorities situation and has designed the proposed extension so as to use materials and metals of construction which will provide adequate safety and prevent the spread of fire to adjoining premises; as to Objection No. 5, that passageways will be provided, but will not be enclosed as required by the Labor Law; that it is felt that the proposed open passageways will provide adequate means of egress; as to Objection No. 6, that the condition referred to in this Objection as to toilets, is as near practical compliance with the Industrial Code as is possible to make under the circumstances, and it is requested that the Board accept such condition for the temporary period of the duration of the emergency.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent, re Alt. Applic. No. 1571-42, Objections Nos. 3 and 5, and that the application be and it hereby is *granted on condition* that the requirements of this resolution adopted under this date in Cal. No. 655-42-A shall be complied with and that the proposed passageways on the roof shall be pro-

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vided with proper guardrails and kept clean and clear of snow and ice at all times; that proper drainage shall be provided for such passageways, which shall be so surfaced as to provide a non-slipping surface; that the existing roof drainage shall be maintained and adjusted so as to provide adequate roof drainage from all parts of the existing main roof; and *withdrawn* as to Objection No. 6.

668-42-A.

APPLICANT—F. Klebold, for Queensboro Lumber Company, owner (Technical Appliance Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—41-06 DeLong street, west side, 142 ft. south of Port Washington Division of Long Island Railroad (Block No. 5066, Lot No. 25), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Ferdinand Klebold, M. B. Hendry, Chas. Hendry, Jr., and B. H. Noden.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (663-42-A)

WHEREAS, F. Klebold, for Queensborough Lumber Company, owner (Technical Appliance Corporation, lessee), filed September 11, 1942, an appeal from a decision of the borough superintendent affecting premises 41-06 DeLong street, west side, 142 ft. south of Port Washington Division of Long Island Railroad (Block No. 5066, Lot No. 25), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated September 1, 1942, on N. B. Applic. No. 1084-42, reads:

"1. The erection of a frame building in the fire limits, is contrary to Sec. 4.1.2 of the Building Code.

2. The erection of a frame building for commercial use, is contrary to Sec. 4.2.1 of the Building Code."

and

WHEREAS, the applicant states that the premises consists of a plot fronting 312 ft. 4¼ in. on DeLong street, with a depth of 100 ft. therefrom, upon which it is proposed to erect the building in question, 177 ft. 8 in. by 90 ft. in area; one story 30 ft. in height; of Class 4 construction, to be equipped with a standpipe system; located in an unrestricted use district, and to be used for the assembly of military equipment made of wood for the Army and Navy, including aviation towers and antennas, and to be occupied by 55 persons; and

WHEREAS, the applicant contends that inasmuch as steel cannot be procured, the proposed building will be constructed of heavy timbers and sheathed inside and out with ½ in. gypsum plank with floor of crushed stone, surfaced with 2 in. of rolled asphalt; that the loading platform will have a live load of 40 lbs.

Resolved, that the decision of the borough superintendent, acting on N.B. Applic. 1084-42, Objections 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed substantially as indicated on plans filed with the borough superintendent, as amended through September 9, 1942, except that in lieu of the modified standpipe system proposed, there shall be installed throughout the building a modified sprinkler system as indicated on revised plans marked "Received September 18, 1942", equipped with 1¼ in. heads, except where otherwise shown as ½ in. or 1 inch in small enclosed areas; that a siamese shall be installed at the exterior near DeLong street near the point of water main entry; that such portable fire-fighting extinguishers shall

also be maintained as the fire commissioner shall direct; that the roof weather surfacing shall consist of two plies of 15-lb. saturated felt and one ply of 90 lb. mineral felt surfacing; that the use and occupancy of this building shall be solely for the purpose outlined and only during the term of the present war emergency and that the building shall be completely removed within one year after the expiration of such war emergency, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Adjourned: 11:15 A. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on January 28, 1941, as they appeared in Bulletin No. 5, Vol. 26, are hereby corrected to read as follows:

THE RESOLUTION (188-39-BZ)

WHEREAS, H. B. Pickering, for The Nicholls Holding Company, Inc., owner, filed on February 17, 1939, an application under section 7h of the building zone resolution, to permit partly in a business use and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking of more than five (5), motor vehicles; premises: 204-208 East 45th street, north side, 80 ft. east of Third avenue, and 209-211 East 44th street, also rear yards of 203-207 East 44th street (Block No. 1318, Lot Nos. 5-8, inclusive, and 45-47, inclusive), Borough of Manhattan; and

WHEREAS, this application was granted on certain conditions on February 20, 1940, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted by the board on February 20, 1940, with reference to bumpers, so that as amended this portion of the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension of the parking and storage use in the unrestricted area to that portion of the plot within the business area, *on condition* that the entire plot, as reapportioned as indicated on plans filed herewith, known as Lots 45 and 8, shall be levelled substantially to the grade of East 44th and East 45th streets and shall be surfaced with steam cinders, clean gravel or other suitable material; that there shall be erected on the street building lines of East 45th street and East 44th street a substantial woven wire fence not less than 6 ft. in height, with not over one opening therein to each street, *within the unrestricted district* and not over 25 ft. in width with curb cut opposite of similar width; that a similar fence shall be located along the interior lot lines where walls of existing buildings do not occur; that where walls of existing buildings occur, there shall be installed a concrete bumper curbing not less than 2 ft. in width, as a protection to adjoining properties; that a proper bumper shall also be installed along other interior lot lines to protect the enclosing fence except that such bumpers may be omitted where the cars are parked parallel thereto; that any gasoline equipment on the premises shall

* Correction—The words "*within the unrestricted district and*" inserted in line 33 of resolution and the measurement of "15 ft." changed to "25 ft." in the following line.

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be completely removed; that no signs advertising the parking use shall be exhibited on the premises, except that there may be a sign at the entrance to each street, advertising the storage and parking use, provided such sign does not exceed 15 sq. ft. in area, and does not extend beyond the building line; that no signs adver-

tising parking shall be attached to adjoining buildings; that during the term of this permit, the premises shall be used for no other use than as herein permitted; that all permits required shall be obtained and all work completed within four months from the date of this resolution."

RULES

RULES ON USES OF INSULATING FIBRE BOARD

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 5, 1939. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 29, 1939 AND RULES AMENDED JUNE 16, 1942, EFFECTIVE JULY 6, 1942.

[170-39-SR]

TABLE 1

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C-26-189.0 Administrative Code (2.2.1.1), C-26-462.0 of the Administrative Code (8.4.10.6), C-26-458.0, sub. g, Administrative Code (8.4.10.2), C-26-538.0, sub. b, Administrative Code (8.7.2.3), C-26-541.0, sub. a, Administrative Code (8.7.2.6.1), C-26-667.0, paragraphs, 4 and 8, Administrative Code (10.9.2.4), sub. c, and (10.9.2.4), Building Code, C-26-680, sub. 21, Administrative Code (10.12.11.1), C-26-541.0, Administrative Code (8.7.2.6.1), C-26-619.0, Administrative Code (10.3.1), and C-26-721.0, Administrative Code (12.2).

NOTE: Where reference in parentheses appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Classes of Fibre Board.

- (1) Wood Fibre
- (2) Exploded Wood Fibre
- (3) Balsam and Wood Fibre
- (4) Western Wood Fibre
- (5) Cane Fibre (Bagasse)
- (6) Pulp from waste papers
- (7) Straw Fibre
- (8) Ground Wood Pulp Fibre
- (9) Corn Fibre

1.1 STRUCTURE OF FIBRE BOARD. Fibre boards shall be manufactured from wood or other vegetable fibre by a felting or molding process and provided with sizing to render water resistant, and shall be subjected to a sufficient drying temperature so as to completely destroy rot-producing fungi. No starch ingredient shall be included unless made toxic to household vermin.

1.2 The structure of the board may be either single or multiple ply, and if latter, the plies shall be joined under pressure by a moisture resisting cement. Surfaces shall be finished smooth and free of coarse fibres.

1.3 For a plaster base, wall board, roof boards, sheathing, siding, roof insulation, floor insulation, acoustical, interior finish, the fibre board shall be homogeneous, free from cracks, lumps, unevenness and other defects.

	Building Board (Note 5)	Plaster Base (Note 6)	Miscellaneous uses (Note 7)
Maximum thermal conductivity B.T.U. per hour per square foot per degree F. per inch thickness (note 1)	0.36	0.36	0.36
Minimum transverse strength, Lengthwise (note 2)	14	14	7
Pounds Crosswise (note 2)	12	12	7
Minimum deflection at ultimate load, inches	0.25	0.25	0.25
Maximum deflection at ultimate load, inches (note 3)	.85	.85	1.25
Minimum tensile strength, pounds per square inch (note 4)	175	175	100
Water absorption per cent.	5	5	10
Maximum linear expansion, per cent Nail holding strength lb.	100	70	60
Bond strength per square foot of bonded surface	—	700	—

NOTE 1. No board of any class having a conductance greater than 0.72 b.t.u. per hour, per square foot per degree F. irrespective of thickness will be acceptable under these rules.

NOTE 2. This requirement is based upon specimens $\frac{1}{2}$ inch thick. For specimens of other thicknesses the requirement shall be increased in direct proportion, that is, for a thickness of 1-inch, it shall be double, etc.

NOTE 3. Minimum deflection at rupture shall be not less than .25".

NOTE 4. Tensile strength requirements shall be applicable only on thicknesses up to and including 1-inch.

NOTE 5. Edges shall be square for building board.

NOTE 6. Edges shall be either ship lapped bevel and ship lapped, tongue and grooved, bevel and tongue and grooved, "V" jointed, or ship lapped and grooved. Each board shall be of a rough fibrous texture to insure good mechanical and suction bond.

NOTE 7. Edges shall be square unless ship lapped or offset.

Rule 2. Uses and Methods of Applying Fibre Board.

2.1 Fibre board may be used as a plaster base or wall board in non-fireproof commercial structures not more than 2 stories in height and in one and two family dwellings not exceeding three stories in height and in Class 3 multiple dwellings for partitions and ceilings where either no fire resistive rating is required or where a fire resistive rating not exceeding $\frac{1}{2}$ hour is permitted and installed in accordance with the requirements of C-26-458, Ad-

RULES

ministrative Code (8.4.10.2) and C-26-462.0, Administrative Code (8.4.10.6).

The joints on walls and ceilings shall be broken at least one stud apart, and in no event shall joints of fibre board lath be in vertical line, excepting in the corners of a room. The joints shall be broken at every other board on the walls and at right angles to the furring on ceiling. C-26-462.0, Administrative Code (8.4.10.6). They shall be solidly nailed at every bearing not more than 6" center to center for walls and 4" center to center for ceilings and nailed to all studding with 1½" No. 13 gauge blued or galvanized plaster board nails, with ⅜" heads for ½" board and 1¾" nails with ⅜" heads for ¾" or 1" board, and with proportionately longer nails for thicker fibre board. All corners shall be reinforced with standard metal corner beads. All re-entrant angles shall be reinforced with standard metal angle lath strip. Reinforcement shall be securely stapled on the lath. At the juncture of frame and masonry construction, 6" strip of expanded metal lath shall be used. No board shall be run through from room to room.

- 2.1.1 It shall be unlawful to wet fibre board before plastering. C26-462.0, Administrative Code (8.4.10.6).

2.1.2.1 "SCRATCH OR FIRST COAT."

The scratch coat shall contain not more than 2/3 by weight of sand and 1/3 calcined gypsum plaster with fibres or including other materials and fibring so that the setting time shall not be greater than four hours nor less than 1½ hours and with a tensile strength of not less than 75 pounds per sq. in. The scratch coat shall be not less than ¼" thick.

2.1.2.2 "BROWN OR SECOND COAT."

The brown coat shall contain not more than ¾ by weight of sand and the remaining ¼ shall not contain less than 3/5 of calcined gypsum and not more than 2/5 of other materials, including fibring. The setting time shall be not more than five hours nor less than two. This brown coat shall have a tensile strength of not less than 50 pounds per sq. in. and shall be not less than 3/16" in thickness.

2.1.2.3 "FINISH COAT."

The finish coat shall be applied after the application of the second or brown coat has become dry, and shall be set in not less than 20 minutes nor more than four hours and shall have a tensile strength of not less than 200 pounds per sq. in. and be not less than 1/16" thick.

2.1.2.4 "GROUNDS."

Suitable grounds shall be established with each thickness of fibre board so as to insure a minimum thickness of ½" plaster. Fibre board shall extend from floor to ceiling with grounds secured to the framing members through the fibre board.

2.2 FIBRE BOARD SHEATHING.

Approved fibre board sheathing at least one-half of an inch in thickness and four feet in width and in full lengths where possible may be used instead of wood sheathing when bearing on 4 studs and fastened to each bearing with 1½" wire nails, 6" or less c-c, with ⅜" head, and for ¾" or 1" board, the nails shall be 2" long. See C-26-538.0, sub. b. When using fibre board in widths of 2 ft. in addition to the requirement for using full lengths, supplemental

bracing of the framework of the wood frame structure shall be provided by means of let-in diagonal braces of 1" x 4"s sound and free from knots at all external corners in the outside face of the studs at approximately 45° and crossing at least three studs, or supplemental bracing may be by a series of 2" by 4" struts diagonally cut and placed between the studs at an angle of 45° with the horizontal and extending from sill to plate wherever possible. All braces shall be securely nailed to each stud and to sill and plate. Where openings occur near the corners, 1" x 4"s let-in knee braces in the face of the studs shall be installed above and below the openings at approximately 45°, extending across not less than 3 studs. When used over doorways and under windows, vertical and horizontal 2" x 4"s shall be provided to afford nailing bases along all edges. Equivalent bracing of steel may be substituted for the required wood bracing. The use of fibre board as roof sheathing is not permitted except as insulation over permitted sheathing material.

2.3 MINOR FRAME STRUCTURE.

Approved fibre board siding may be used on wood frame sheds erected where permitted and where open on at least one side, provided such sheds are fifteen feet or less in height and do not exceed 2500 square feet in area and are at least 4 feet from any lot line and are covered on sides and roof with approved fire-retarding material. C26-541.0 (8.7.2.6.1).

2.4 USE OF FIBRE BOARD WHEN COVERED BY AN INCOMBUSTIBLE WEARING SURFACE.

Untreated combustible insulation board of a single layer or thickness not to exceed ½" when cemented or attached directly to the surface of an approved type of fire-resistive floor construction may be used elsewhere than in stair enclosure and corridors when covered by an incombustible wearing surface, in accordance with these rules. C26-667.0, sub. 4c (10.9.2.4).

2.5 ROOF AND FLOOR INSTALLATION IN CLASS 1 AND CLASS 2 STRUCTURES.

Fibre board used as insulation may be applied directly to the fire-resistive floor or roof construction in cement, provided such insulation is covered by at least one and one-half inch thickness of Portland Cement concrete or other equally fire-resistive material of equal thickness. C26-619.0, sub. a, Administrative Code (10.3.1). Insulation fibre board so applied shall be over a screeded concrete roof or floor, graded where necessary, and cemented to the arch with hot asphalt or coal tar pitch. Fibre insulation board shall not be left exposed to the elements, nor shall it be applied to wet surfaces of any kind.

2.6 ROOF INSULATION OTHER THAN IN CLASS 1 AND CLASS 2 STRUCTURES.

The use of fibre board as roof insulation is lawful, provided such fibre board is covered with an approved type of fire-resistive roof covering applied directly thereto, C26-680, sub. 2, Administrative Code (10.12.11.1), and when installed in accordance with the requirements of 2.2 of these rules.

2.7 USE OF FIBRE BOARD IN FIRE WALLS.

(Formerly Rule 2.8)

Fibre board may be used as insulation in fire walls C26-632.0 sub. g AC (10.4.1.2) if cemented and attached directly to the face of the wall laid up with no intervening air spaces and protected with not less than 2 in. of secured masonry laid tight against the fibre board.

BULLETIN

OF THE

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CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Locations at Which Zoning Variances for a Temporary Term have Been Granted for Transient Parking or Storage for More than Five Motor Vehicles Affecting the Boroughs of Queens and The Bronx.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*,

CALENDAR

DOCKET.

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675-42-S—H.B.M.—460-476 West 34th street, 457 West 33rd street and east side of Tenth avenue, from West 33rd to West 34th streets (6th floor); (Block No. 731, Lot No. 1), Borough of Manhattan, Decision.

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677-42-A—H.B.M.—1576-1578 Broadway, 201 West 47th street, northeast corner and 702-708 Seventh avenue (Block No. 1019, Lot No. 29), Borough of Manhattan, Alt. 1146-42.

678-42-A—H.B.Q.—129-92 Willets Point boulevard, southeast corner of Northern boulevard (Block No. 1833, Lot Nos. 215, 221, 410 and 425), Corona, Borough of Queens, N.B. 1099-42.

679-42-A—F.D.—405 East 4th street, north side, 200 ft. west of East River drive (Block No. 359, part of Lot No. 36), Borough of Manhattan, 32160-L. C.

680-42-S—F.D.—176-190 Harrison avenue, west side, between Gerry and Wallabout streets, 344-356 Wallabout street and 39-57 Gerry street (Buildings 21 and 21b, 1st and 7th floors); (Block No. 2265, Lot Nos. 14, 32, 37, 38 and 39), Borough of Brooklyn, 9030-L. F. and Decision.

681-42-SM—Bird Insulated Siding, Bric Design, manufactured by Bird and Son, Material.

682-42-A—H.B.M.—35-45 Beaver street, northeast corner of Broad street (Block No. 25, Lot No. 1), Borough of Manhattan, B. N. 2700-42.

683-42-S—H.B.M.—436-440 Lafayette street, west side, 121 ft. south of Astor place (5th and 6th floors); (Block No. 545, Lot No. 34), Borough of Manhattan, Decisions.

684-42-S—F.D.—5102-5124 Second avenue, west side, from 51st to 52nd streets, 5101-5123 First avenue, 102-184 51st street and 101-183 52nd street (Block No. 796, Lot Nos. 1 and 6), Borough of Brooklyn, 8131-L. F. and Decision.

685-42-A—H.B.B.—206-224 Stewart avenue, east side, entire block bounded by Ten Eyck street, Gardner avenue and Meadow street (Block No. 2952, Lot No. 1), Borough of Brooklyn, N. B. 375-42.

686-42-S—F.D.—155-159 East 23rd street, north side, 84 ft. west of Third avenue (Block No. 879, Lot No. 3), Borough of Manhattan, 14349-L. F. and Decision.

687-42-A—F.D.—155-159 East 23rd street, north side, 84 ft. west of Third avenue (Block No. 879, Lot No. 3), Borough of Manhattan, 14349-L. F. and Decision.

688-42-A—H.B.M.—311-315 West 34th street, north side, 200 ft. west of Eighth avenue (Block No. 758, Lot No. 28), Borough of Manhattan, Decision re Violation 5370-40.

689-42-A—H.B.Q.—21-03 44th avenue, northeast corner of 21st street (Block No. 441, Lot No. 9), Long Island City, Borough of Queens, Alt. 1505-42.

690-42-A—H.B.Q.—80-06 47th (Fitch) avenue, south side, 433 ft. west of 82nd street (Block No. 1536, Lot Nos. 53, 55 and 58), Elmhurst, Borough of Queens, M-Appl. 3966-42.

691-42-S—F.D.—524-540 West 52nd street, south side, 1200 ft. southwest of Tenth avenue (Block No. 1080, Lot Nos. 45, 51, 53, 54 and 55), Borough of Manhattan, Decision.

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1076-22-BZ—H.B.B.—204-210 Saratoga avenue and 2 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn, Alt. 2132-42.

353-42-BZ—H.B.Q.—40-05 61st street, 40-06 62nd street the south side of Woodside avenue, from 61st to 62nd street (Block No. 1336, Lot Nos. 38, 41, 44 and 47), Woodside, Borough of Queens, N. B. 579-42.

470-42-SA—CEN-D-OUT (for extinguishing incendiary bombs), Appliance.

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SEPTEMBER 29, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, September 29, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

2-42-BZ—Application, May 28, 1942, under section 7c of the zoning resolution, of Henry C. Brockman, applicant, on behalf of Gulf Oil Corporation, owner, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises 2001-2011 Popsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

2-41-BZ—Application, June 16, 1941, under sections 7a and 7e of the zoning resolution, of Dominic Russo, applicant and lessee, for Dominic Russo and Estate of Andrew Hagagan, owners, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises 6 Richmond avenue, west side, 143.31 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

6-42-BZ—Application, May 7, 1942, under section 7i of the zoning resolution, of Edward Handelman, applicant, on behalf of Clinton Building Company, owner (Clinton Garage, Incorporated, lessee), to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of part of an existing building; said building is used in part as a garage for more than five (5) motor vehicles; premises 8-16 Clinton street, west side, 5 ft. 5 in. south of Fulton street (Block No. 238, Lot No. 52), Borough of Brooklyn.

4-32-BZ—Application of Lama and Proskauer, applicants, on behalf of New York Bonded Warehouse, Incorporated, owner (David Levine, lessee), reopened April 7, 1942, under sections 7c and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and also, the parking of more than five (5) motor vehicles; premises 355-365 Kings Highway and 1741-1753 West 4th street, northeast corner (Block No. 6653, Lot No. 33), Borough of Brooklyn.

5-42-BZ—Application, May 5, 1942, under sections 7h and 21 of the zoning resolution, of Arnold W. Lederer, applicant on behalf of Isadore Cohen, owner (Joseph L. Hoffman, lessee), to permit partly in a residence use district and

partly in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2826-2830 Nostrand avenue, west side, 128 ft. 8 in. south of Kings Highway and 2910-2922 Kings Highway (Block No. 7690, Lot No. 54), Borough of Brooklyn.

477-42-BZ—Application, June 16, 1942, under section 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Rose Rosenthal, Mollie Rosenthal, Mary Rosenthal and Paul Klindworth, owners (Harry Langbaum, d/b/a Cameo Motors, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles upon a plot used in part for the display and sale of used cars; premises 1287-1297 Coney Island avenue, east side, 320 ft. south of Avenue I (Block No. 6704, Lot Nos. 69 to 72, inclusive and part of Lot No. 73), Borough of Brooklyn.

291-42-BZ—Application, April 7, 1942, under section 21 of the zoning resolution, of Engadine Holding Corporation, applicant and owner, to permit in a residence use and, also, two (2) times height district, the maintenance of a glass enclosure on the 31st story of the existing (hotel) building; this enclosure is contrary to section 26 of the multiple dwelling law as the height of the building exceeds 178 feet and, also, contrary to the height regulations of the zoning resolution; premises 50-56 West 59th street, south side, 120 ft. east of Sixth avenue and 1430-1436 Sixth avenue (Block No. 1274, Lot No. 71), Borough of Manhattan.

498-42-BZ—Application, June 18, 1942, under section 7h of the zoning resolution, of Sidney Rossman, applicant, on behalf of Ella Morris, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 733-739 McDonald avenue, east side, 160 ft. north of Ditmas avenue (Block No. 5385, Lot No. 62), Borough of Brooklyn.

504-42-BZ—Application, June 23, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Lenfred Realty Corporation, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 42-46 (48-50 displayed) St. Paul's place, west side, 53 ft. 6½ in. north of Crooke avenue (Block No. 5059, Lot Nos. 40-42), Borough of Brooklyn.

510-42-BZ—Application, June 25, 1942, under section 7f of the zoning resolution, of Lewis S. Amster, applicant, on behalf of Elizabeth Thornton, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 191-195 City Island avenue and 102-110 Winter street, southwest corner (Block No. 5626, Lot No. 360), Borough of The Bronx.

408-42-BZ—Application, May 19, 1942, under section 21 of the zoning resolution, of S. Walter Katz, applicant, on behalf of The Gerry Estates, Incorporated, owner (I. A. Managament Corporation, lessee), to permit in a building located in a restricted retail use district, a proposed occupancy of 25% manufacturing on the 2nd to 7th stories; premises 65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

Appeal From Administrative Decision.

401-42-S—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

SEPTEMBER 29, 1942, 2 P. M.

Appeals from Administrative Decisions.

551-42-A—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

654-42-A—150-156 50th street, south side, and 149-155 51st street, north side, 293 ft. 3 in. west of Second avenue (Block No. 788, part of Lot No. 25), Borough of Brooklyn.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (1st floor, front room); (Block No. 1198, Lot No. 23), Borough of Manhattan.

Appliance and Materials for Approval.

665-42-SA—Siph-O Universal Smooth Faucet Adapter.

1077-39-SM—Simplex Felt Grease Treated W. S. Gaskets.

981-41-SM—Kaustine 275 Gallon Obround Fuel Oil Tank.

114-42-SM—Koven N. Y. C. Oil Separator.

417-42-SM—Alpha 550 Gallon Cylindrical Gasoline Storage Tank.

OCTOBER 6, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, October 6, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

474-42-BZ—Application, June 15, 1942, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Temple Beth-El, owner, to permit in a residence use and, also, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution; premises 121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

160-42-BZ—Application, February 20, 1942, under section 21 of the zoning resolution, of Oscar I. Silverstone, applicant, on behalf of Susan McPherson, owner, to permit in a residence use and F area district, the erection and maintenance of a one (1) family dwelling, not complying with the zone resolution as to required side yards and also, as to the occupied area of the lot; premises 3336 Bedford avenue, west side, 125 ft. south of Avenue L (Block No. 7642, Lot No. 52), Borough of Brooklyn.

539-42-BZ—Application, July 6, 1942, under section 7h of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

548-42-BZ—Application, July 9, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Felix Vichione, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 492-500 Lorimer street and 56-62 Powers street, southeast corner (Block No. 2780, part of Lot No. 1), Borough of Brooklyn.

1294-39-BZ—Application, October 18, 1939, under section 21 of the zoning resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Company, Incorporated, owner, to permit in a business use district, the alteration and reconstruction of buildings now used as a public garage and also, accessory building to a gasoline service station and also, the extension of the area of the gasoline service station; premises 112-124 Flatbush avenue extension and 134-140 Tillary street, southwest corner (Block No. 132, Lot No. 14), Borough of Brooklyn.

557-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 95-07 63rd road, north side, 20.43 ft. west of 96th street (Block No. 2084, Lot Nos. 153, 155 and 156), Rego Park, Borough of Queens.

558-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 101), Rego Park, Borough of Queens.

217-42-BZ—Application, March 18, 1942, under section 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mollie Barth, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 158 East 205th street, south side, 80 ft. east of Grand Concourse (Block No. 3311, Lot No. 105), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 6, 1942, 2 P. M.

Materials for Approval.

863-41-SM—Dereka Damp-proof Black Paint and Dereka Metal Paint, Red No. 500.

979-41-SM—Koven 275 Gallon Obround Fuel Oil Tank.

OCTOBER 14, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Wednesday morning, October 14, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

559-37-BZ—Application of Samuels and Samuels, applicants, on behalf of Fellman Realty Corporation, owner, reopened April 28, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

282-42-BZ—Application, April 6, 1942, under sections 7h and 21 of the zoning resolution, of Irving Kirshenblatt, applicant, on behalf of Pauline Saltzman, owner, to permit in a business use district, the maintenance of an existing garage for five (5) motor vehicles and also, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2181-2187 Pitkin avenue, north side, 25 ft. east of Bradford street (Block No. 3725, Lot No. 32), Borough of Brooklyn.

341-42-BZ—Application, April 24, 1942, under section 7h of the zoning resolution, of Ferdinand Savignano, applicant,

CALENDAR

nt, on behalf of Mac Feiola, owner, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment; premises 59 Madison street, north side, 66 ft. 2 in. east of Oliver street (Block No. 279, Lot No. 31), Borough of Manhattan.

6-42-BZ—Application, March 16, 1942, under section 7c of the zoning resolution, of Frank C. Keller, applicant, on behalf of Henry Hiller, owner (Richfield Oil Corporation of New York, lessee), to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles upon an existing gasoline service station; premises 91-02 63rd drive, northeast corner of Alderton street (Block No. 3104, Lot No. 208), Rego Park, Borough of Queens.

2-42-BZ—Application, May 18, 1942, under section 7e of the zoning resolution, of Frank Flinker, applicant, on behalf of Morris Feuigersch, owner (Standard Tex and Gasoline Company, lessee), to permit in a business use district, for a term of two (2) years, the sale and display of paint with 25% of the floor area used for paint mixing; premises 2542 (2540 displayed) Atlantic avenue and 47 Wilms avenue, southeast corner (Block No. 3683, Lot No. 1), Borough of Brooklyn.

0-42-BZ—Application, April 22, 1942, under section 7c of the zoning resolution, of Eugene De Rosa, applicant, on behalf of Jeron Company, Incorporated, owner, to permit partly in a business use and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 63-49 Saunders street (Block No. 3080, Lot Nos. 30 and 31), Rego Park, Borough of Queens.

3-42-BZ—Application of Charles M. Lobejager, applicant, on behalf of Bulova Watch Company, owner, reopened September 22, 1942, under section 7c of the zoning resolution, to permit in a business use district, the erection of a building, three (3) stories and basement in height, to be used for manufacturing in excess of the area permitted to be used for manufacturing in a business use district (previously permitted by the Board to be erected two (2) stories and basement in height); premises 40-05 61st street, 40-06 61st street, the south side of Woodside avenue, from 61st street to 62nd street (Block No. 1336, Lot Nos. 38, 41, 44 and 47), Woodside, Borough of Queens.

76-22-BZ—Application of Tobias Goldstone, applicant, on behalf of Rubar Realty Corporation, owner, reopened September 22, 1942, under section 21 of the zoning resolution, to permit in a business use district, the alteration and change of use of a building from public garage for more than five (5) motor vehicles to public garage for more

than five (5) motor vehicles and a newspaper distributing station, which will include the storage of more than five (5) motor vehicles; premises 204-210 (Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

Appeal from Administrative Decision.

673-42-A—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 20, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, October 20, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

159-36-BZ—Application of Alurion Realty Corporation, owner, and Public Service Interstate Transportation Co., lessee, reopened February 18, 1941, under section 7h of the building zone resolution, to permit in a retail one (1) use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (Bus Terminal); premises 245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1013, Lot No. 3), Borough of Manhattan.

363-42-BZ—Application, May 5, 1942, under sections 7e and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Ade, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

596-42-BZ—Application, July 27, 1942, under section 7c of the zoning resolution, of Koch and Wagner, applicants, on behalf of The Roberts Numbering Machine Company, owner, to permit in a residence use district, the erection and maintenance of a garage for five (5) motor vehicles (of the pleasure car type) for storage of cars owned by the officers of the owners of factory buildings located on the same plot; premises 30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block No. 4102, Lot Nos. 19 and 35), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 22, 1942.

Present: Chairman Murdock, Commissioners Savage and Lum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held Tuesday morning, September 15, 1942 and Tuesday afternoon, September 15, 1942 and the special meeting of the Board held on Friday morning, September 18, 1942, were approved as printed in Bulletin No. 38, Vol. 27.

ZONING CASES.

363-42-BZ.

APPLICANT—Henry Nordheim, for Estate of Jennie Ade, owner.

SUBJECT—Application re (decision of the acting borough superintendent) under sections 7e and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than three (3) motor vehicles.

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PREMISES AFFECTED—650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, Clifford Adey and George B. Fargis.

For Opposition: Samuel M. Birnbaum and Gustave Goldman, Board of Education.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 20, 1942 at 10 A. M. for further consideration by the Board. No further argument.

365-42-BZ.

APPLICANT—Arnold W. Lederer, for Isadore Cohen, owner (Joseph L. Hoffman, lessee).

SUBJECT—Application re (decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2826-2830 Nostrand avenue, west side, 128 ft. 6 in. south of Kings Highway and 2910-2922 Kings Highway (Block No. 7690, Lot No. 54), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Opposition: Abram Shlestein and Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 29, 1942 at 10 A. M. for further consideration by the Board. No further argument.

539-42-BZ.

APPLICANT—Edwin H. Thatcher, for Polytechnic Institute of Brooklyn, owner.

SUBJECT—Application re (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin H. Thatcher and E. D. Thatcher.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 6, 1942 at 10 A. M. for further consideration by the Board. No further argument.

517-39-BZ.

APPLICANT—Thomas I. Sheridan, owner.

SUBJECT—Application re (decision of the borough superintendent), under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; reopened May 7, 1940.

PREMISES AFFECTED—33-02 to 33-16 Astoria boulevard, southwest corner of 34th street and 25-01 33rd street (Block No. 631, Lot Nos. 19-26 inclusive, and Lot No. 30), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Thomas I. Sheridan.

For Opposition: Joseph H. Gellman, Josephine Piliero, Mr. Labbate, Catherine Allaire, Mrs. Dalainio and others, and Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied; application reopened and resolution of February 6, 1940, amended.

THE VOTE TO GRANT—

Affirmative:

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

THE VOTE TO REOPEN AND AMEND RESOLUTION OF FEBRUARY 6, 1940—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

Negative:

THE RESOLUTION (517-39-BZ)

WHEREAS, this application, permitting in a business use district, the use of a plot of ground for parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years, affecting premises 33-02 to 33-16 Astoria boulevard, south side, from 33rd street to 34th street, and southwest corner of 34th street and Astoria boulevard, and 25-01 to 25-25 33rd street (Block No. 631, Lot Nos. 19 to 26, inclusive, and 30), Astoria, Borough of Queens, was granted by the Board February 6, 1940, on certain conditions, permit extended February 10, 1942, an applicant requested an amendment of the resolution, to permit in the residence use portion of the plot, the parking and storage of more than five (5) motor vehicles for term of two (2) years; and

WHEREAS, this application was reopened by vote of the Board, on May 7, 1940, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 22, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Astoria boulevard is in a business use district; 33rd street and 34th street are each in a residence and business use district; and

WHEREAS, the decision of the borough superintendent dated July 23, 1942, on Misc. Applic. No. 3742-42, reads:

"1. The use of these premises for the parking of more than five motor vehicles in a residence use district is contrary to Art. 2, Sec. 3 of the Zoning Resolution and

WHEREAS, the premises under the present application, consist of an irregular shaped plot of ground having a frontage of 165 ft. on 33rd street; 97 ft. along the southerly lot line and 200 ft. along the easterly lot line and lying within the residence use district. It is proposed to use this portion of the plot, for a term of two years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, on February 6, 1940, the Board granted permission for the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years, restricting this use to the business portion of the plot and prohibiting the extension of this use into the residence portion of the plot; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7-h of the zoning resolution.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 3742, 42, be and it hereby is denied.

Resolved further, that the Board of Standards and Appeals does hereby amend its resolution adopted February 6, 1940, only so far as it has reference to the requirements relative to the woven wire fences, by adding thereto:

"that the requirement of the resolution as to the woven wire fence may be waived during the term of the pro

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ent war emergency, provided substantial picket fences shall be maintained where fences are required under the resolution; that such fences shall be kept painted and in good condition; that no signs shall be attached thereto other than the sign advertising the parking use as herein above provided."

106-42-BZ.

APPLICANT—Frank C. Keller, for Estate of Louise Hauman, owner (Marie C. Schriber, Executrix).

SUBJECT—Application re (decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—23-16 Sound street, west side, 100.08 ft. north of Astoria boulevard (Block No. 781, Lot Nos. 33-37), Astoria, Borough of Queens.

APPEARANCES—

For Application: Frank C. Keller.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3

THE RESOLUTION (106-42-BZ)

WHEREAS, Frank C. Keller, for Estate of Louise Hauman, owner (Marie C. Schriber, Executrix), filed February 5, 1942, an application under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 23-16 Sound street, west side, 100.08 ft. north of Astoria boulevard (Block No. 781, Lot Nos. 33-37), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 22, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 42nd street and 23rd road are each in a residence, unrestricted and business use districts; Sound street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent, dated February 5, 1942, on Misc. Applic. No. 208-42, reads:

"1. The use of these premises for the parking of motor vehicles in a residence district is contrary to Art. 2, sec. 3 of the Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 83 ft. on 42nd street, 100 ft. on Sound street and 82 ft. on 23rd road. Upon the plot there are two frame dwellings; a metal 3 car garage and 2 frame sheds. It is proposed to use the vacant part of the plot, for a term of two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7-h of the zoning resolution.

Resolved, that the decision of the borough superintendent on Misc. Applic. Nos. 208-421, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

530-42-BZ.

APPLICANT—Millard Henlein, for Board of Transportation, City of New York, owner (Abraham Goldenblum and Samuel Goldenblum, lessees).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—360-374 Sixth avenue, east side, from Washington place to Waverly place, 126-130 Waverly place and 87 Washington place (Block No. 552, Lot No. 37), Borough of Manhattan.

APPEARANCES—

For Applicant: Millard Henlein.

For Opposition: Louis Jackson and Albert A. Raphael.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (530-42-BZ)

WHEREAS, Millard Henlein, for Board of Transportation, City of New York, owner (Abraham and Samuel Goldenblum, lessees), filed July 1, 1942, an application under section 7-h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 360-374 Sixth avenue, east side, from Washington place to Waverly place and 126-130 Waverly place and 87 Washington place (Block No. 552, Lot No. 37), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 22, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Sixth avenue is in a business use district; Washington place and Waverly place are each in both residence and business use districts; McDougal street is in a residence use district; and

WHEREAS, the decision of the borough superintendent, dated June 24, 1942, reads:

"Your application dated June 19, 1942, for a certificate of occupancy for the use of the above premises for the parking and storage of more than five (5) motor vehicles, has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by Section 4, Subdivision 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 195 ft. on Sixth avenue, 80 ft. on Washington place and 93 ft. on Waverly place. It is proposed to use the plot, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board, which recommended the denial of the application in view of the fact there is no real need shown for this additional parking lot; and

WHEREAS, the Board deemed that, therefore, there was no justification for the exercise of its discretion to grant a zoning variance under section 7-h of the zoning resolution.

Resolved, that the decision of the borough superintendent, dated June 24, 1942, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

648-42-BZ.

APPLICANT—Frank Randazzo, for Charles Arnoldson, owner.

SUBJECT—Application re (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the conversion of occupancy of a public garage (pre-

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REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 22, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

1076-22-BZ.

APPLICANT—Tobias Goldstone, for Rubar Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the alteration and change of use of a building from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and a newspaper distributing station, which will include the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531 Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone.

ACTION OF BOARD—Application reopened and set for hearing October 14, 1942 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

353-42-BZ.

APPLICANT—Charles M. Lobejager, for Bulova Watch Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection of a building, three (3) stories and basement in height, to be used for manufacturing in excess of the area permitted to be used for manufacturing in a business use district (previously permitted by the Board to be erected two (2) stories and basement in height).

PREMISES AFFECTED—40-05 61st street, 40-06 62nd street, the south side of Woodside avenue, from 61st to 62nd streets (Block No. 1336, Lot Nos. 38, 41, 44 and 47), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Lobejager.

ACTION OF BOARD—Application reopened and set for hearing October 14, 1942 at 10 A. M. Applicant to send out notices to affected property owners by October 1, 1942.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

448-37-BZ.

APPLICANT—Theodore R. Feinberg, for 460 Eighth Avenue Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution permitting in a retail use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—255 West 33rd street, north side, 200 ft. east of Eighth avenue (Block No. 78 Lot No. 11), Borough of Manhattan.

viously granted by the Board) to the manufacture of ferrous and non-ferrous metal products, with occasional welding incidental to said manufacture.

PREMISES AFFECTED—28-30 Quincy street, south side, 125 ft. 4 in. west of Classon avenue (Block No. 1972, Lot No. 17), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Randazzo, Charles Arnoldson, Hubert J. Thelen and others.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (648-42-BZ)

WHEREAS, Frank Randazzo, for Charles Arnoldson, owner, filed on August 31, 1942, an application under sections 7c and 21 of the zoning resolution, to permit in a business use district, the conversion of occupancy of a public garage (previously granted by the Board) to the manufacture of ferrous and non-ferrous metal products with occasional welding incidental to said manufacture; premises: 28-30 Quincy street, south side, 125 ft. 4 in. west of Classon avenue (Block No. 1972, Lot No. 17), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 22, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Quincy street is in a business and residence use district; Gates avenue is in a residence and business use district; Classon avenue is in a business and unrestricted use district; and Downing street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2320-42, dated August 12, 1942, reads:

"Existing occupancy as a public garage in a business use was granted conditionally by the Board of Standards and Appeals under Cal. No. 55-16-BZ.

Proposed manufacture of ferrous and non-ferrous metal products with occasional welding incidental to said manufacture is contrary to Art. II, Sec. 4(a) 4 and Art. II, Sec. 4(a) 19 of the Zoning Resolution."

and

WHEREAS, the existing building one story (18 ft.) in height; having a frontage of 48 ft. 8 in. and 100 ft. in depth; of Class 3 construction. It is proposed to convert the occupancy of the existing public garage (which was previously granted by the Board) to the manufacture of ferrous and non-ferrous metal products—with occasional welding incidental to said manufacture; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7c thereof, to permit the manufacturing occupancy as proposed in lieu of the garage to be discontinued and which was permitted under Cal. No. 55-16-BZ on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution; and that a new Certificate of Occupancy shall be obtained.

Adjourned: 12:25 P. M.

JOSEPH J. DOYLE, Chief Clerk.

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APPEARANCES—

For Applicant: Samuel Kuperschmid.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (448-37-BZ)

WHEREAS, this application under section 7h of the building zone resolution, to permit for a temporary period of two years in a retail use district, the parking and storage of more than five (5) motor vehicles; premises 255 West 33rd street, north side, 200 ft. east of Eighth avenue (Block No. 783, Lot No. 11), Borough of Manhattan, was granted by the Board June 1, 1938, on certain conditions permit extended September 10, 1940 and applicant requested a further extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on June 1, 1938 as amended September 10, 1940, only so far as it has reference to the term of the permit, so that as amended, that portion of the resolution shall read:

"granted under section 7h for a term of two years from the date of this *amended resolution*."

602-37-BZ.

APPLICANT—Katharine Hentschel, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—25-33 Irving avenue and 343-347 Jefferson street, northeast corner (Block No. 3167, Lot Nos. 1 and 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lillian Hentschel.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (602-37-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 25-33 Irving avenue and 343-347 Jefferson street, northeast corner (Block No. 3167, Lot Nos. 1 and 3), Borough of Brooklyn, was granted by the Board October 25, 1938, on certain conditions, permit extended on September 7, 1940 and the owner requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 25, 1938 as amended September 17, 1940, only in so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"Granted for a term of two (2) years from the date of this *amended resolution*."

658-41-BZ.

APPLICANT—Theodore R. Feinberg, for Hotels Statler Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the

borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a retail use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—251-253 West 33rd street, north side, 225 ft. east of Eighth avenue and 250 West 34th street (Block No. 783, Lot Nos. 12, 13 and 72), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Kuperschmid.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND PERMIT EXTENDED—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (29-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a retail use district the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years; premises 251-253 West 33rd street, north side, 225 ft. east of Eighth avenue, and 250 West 34th street (Block No. 783, Lot Nos. 12, 13 and 72), Borough of Manhattan, was granted by the Board June 1, 1938, on certain conditions, the resolution amended March 7, 1939, and permit extended on September 10, 1940 and applicant requested a further extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on June 1, 1938, as amended March 7, 1939, and September 10, 1940, only so far as it has reference to the term of the permit, so that as amended that portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this *amended resolution*."

658-41-BZ.

APPLICANT—Thomas H. Celano (lessee), for City of New York and Giovanina Celano, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the premises to be occupied at the front for the sale of used cars and toward the rear for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—627-637 86th street, north side, 214 ft. 7 in. east of Fort Hamilton parkway (Block No. 6037, Lot Nos. 96, 99, 100 and 101), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas H. Celano.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (658-41-BZ)

WHEREAS, Putney, Twombly and Hall, for Thomas H. Celano (lessee), for the City of New York and Giovanna Celano, owners, filed July 11, 1941, an application under sections 7f and 7h of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a term of years, the use of a plot for the display and sale of used cars and also, the parking and storage of more than five (5) motor vehicles; premises 627-637

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86th street, north side, 214 ft. 7 in. east of Ft. Hamilton parkway (Block No. 6037, Lot Nos. 96, 99, 100 and 101), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board on November 25, 1941, on certain conditions and the applicant requested an amendment of the resolution and time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted November 25, 1941 by adding thereto:

"that the fences herein required may be constructed of wood to a height of not less than 5 ft. with substantial rails and pickets substantially as indicated on drawing marked 'Received September 14, 1942' in lieu of the woven wire fence hereinbefore required; that such fence shall be kept in good repair and kept painted."

Resolved further, that the resolution of November 25, 1941 is further amended relative to the obtaining of permits and completion of the work, so that as amended, this portion of the resolution shall read:

"all permits shall be obtained and all work completed within two (2) months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

654-42-A.

APPLICANT—John C. Wandell, for Jamco Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—150-156 50th street, south side, and 149-155 51st street, north side, 293 ft. 3 in. west of Second avenue (Block No. 788, part of Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 29, 1942, at 2 P. M., to obtain plans from Bld'g Dep't and records from Fire Dep't.

673-42-A.

APPLICANT—Tobias Goldstone, for Rubar Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—204-210 Saratoga avenue and 2 Hull street, northwest corner (Block No. 1351, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 14, 1942, at 10 A. M., to be heard in conjunction with Cal. No. 1076-22-BZ.

685-42-A.

APPLICANT—Air Reduction Sales Co., owners.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—206-224 Stewart avenue, south side of Ten Eyck street, west side of Gardner avenue and north side of Meadow street (Block No. 2952, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Thomson, W. Y. Scofield and M. Harrison.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to September 25, 1942 at 10 a. m. for further consideration by the Board.

430-42-A.

APPLICANT—Long Island Railroad Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—183rd street and Liberty avenue (Holban Freight Yard); (Block No. 10329, Lot No. 1 and Block No. 10353, Lot No. 201) Hollis, Borough of Queens.

APPEARANCES—

For Applicant: Elmer S. Lane.

ACTION OF BOARD—Appeal withdrawn upon request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

359-42-S.

APPLICANT—William Welge, for Marie L. Welge, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—365 Wythe avenue, east side, 77 ft. 2 in. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Welge.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

THE RESOLUTION (359-42-S)

WHEREAS, William Welge, for Marie L. Welge, owner, filed on April 30, 1942, an application for variation of the requirements of the Labor Law affecting premises 365 Wythe avenue, east side, 77 ft. 2 in. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 23, 1942, on B. N. Applic. No. 47-42 reads:

"4. Provide exits from all floors complying with the requirements of Section 271 Labor Law and the factory exist Rules of the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is 2 stories (28 ft.) in height, 22 ft. by 61 ft. at first floor, 30 ft. by 25 ft. at typical floor, of Class 4 construction, erected about 1865, located in an unrestricted use district and occupied: basement, washing of films, 5 persons; 1st floor, storage of films, 2 persons; 2nd floor, storage of films, no persons; proposed to be used: washing of films and photographic plates, 5 persons; 1st floor, storage of films, 2 persons; 2nd floor, storage of films, no persons; that the building is equipped with one interior 3 ft. wide wood stairs leading direct to street, unenclosed, and one outside fire escape leading to roof by ladder and to street grade by drop ladder to yard and through 8 ft. wide alleyway to street; and

WHEREAS, the applicant contends that the proposed use of the building will be for washing of photographic films and plates; that this use is not different from what has been made of the building for the past 40 years; that the Fire Department made an inspection of the premises and on December 8, 1941 certified that the building complied with all laws, rules and regulations under the jurisdiction of the Department; that the film involved is noninflammable and the use is not a fire hazard; that there are only 7 persons in the entire building, 5 of whom work in the basement and that there are ample exits with direct access to the street and

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WHEREAS, the premises were inspected by a Committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on B. N. Applic. No. 47-42, Obj. No. 4, and the application be and it hereby is *granted on condition* that there shall be no factory occupancy above the grade floor, except that one person may be engaged on the second floor on part time in connection with the storage work therein.

360-42-A.

APPLICANT—William Welge, for Marie Welge, owner.
SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—365 Wythe avenue, east side, 77 ft. 2 in. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Welge.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (360-42-A)

WHEREAS, William Welge, for Marie L. Welge, owner, filed on April 30, 1942, an appeal from a decision of the borough superintendent affecting premises 365 Wythe avenue, east side, 77.2 ft. north of South 5th street (Block No. 2442, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated April 23, 1942, on B.N. 47-42 reads:

"2. Alteration 388-06 shows the use of the two-story and basement building to be shop (light manufacturing) change of occupancy to storage use require that the floors be re-inforced to carry live load of 120 pounds per square foot (7.3.2.3 code).

3. Department records—NB 1210/08 shows that the one story portion was erected as a wagon shed. Change of this portion to factory use is contrary to Sections 2.1.3.5 and 4.6.1 of code as it is of frame construction."

and

WHEREAS, the applicant states that the building is two stories (28 ft.) in height, 22 ft. by 61 ft. at first floor, 30 ft. by 25 ft. at typical floor, of Class 4 construction, erected about 1865, located in an unrestricted use district and occupied: basement, factory, washing of films, 5 persons; 1st floor, storage of films, 2 persons; 2nd floor, storage of films, no persons; proposed to be occupied: basement, washing of films, and photographic plates, 5 persons; 1st floor, storage of films, 2 persons; 2nd floor, storage of films, no persons; and

WHEREAS, the applicant contends that when the one story portion of the building was erected in 1908 as an enclosed wagon shed, it was used as such only a few months and after that time until the present day, it has been used as factory for various businesses; that the building referred to in Obj. No. 3 was used in 1906 as a shop and light manufacturing under Permit No. 388 of 1906 and for 30 years has been used as a factory for light manufacturing; that the present business has used the building for the past five years and prior thereto it was used for a nickel plating factory for over 20 years; that it would be a hardship to be deprived of the issuance of a certificate of occupancy; and

WHEREAS, the premises were inspected by a Committee of the Board.

Resolved, that the decision of the borough superintendent on B. N. 47-42, Objs. 2 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area;

that the factory work shall be restricted to the ground floor, except for part time work on the second floor as permitted under Cal. No. 359-42-S; that the floor and column construction shall be adequate for the existing loading with a reasonable factor of safety; that the third floor shall remain vacant and all rubbish removed therefrom; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

529-42-A.

APPLICANT—Sidney L. Strauss, for Clarostat Manufacturing Company, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42-44-45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (529-42-A).

WHEREAS, Sidney L. Strauss, for Clarostat Manufacturing Company, Inc., owner, filed on July 1, 1942, an appeal from a decision of the borough superintendent affecting premises 281-287 North 6th street, north side, 111 ft. 5½ in. west of Metropolitan avenue (Block No. 2331, Lot Nos. 42, 44 and 45), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated June 30, 1942, on Alt. Applic. No. 387-42, reads:

"1. Erection of frame structure in fire limit is contrary to 4-1-2 of Building Code."

and

WHEREAS, the premises consist of a plot 100 ft. by 100 ft. in area; located in an unrestricted use district on the easterly half of which there exists a five story building (55 ft. in height); 50 ft. by 94 ft. in area; of Class 3 construction; erected approximately 1900 and used throughout for manufacture of metal goods; that the building in question is one story, 12 ft. in height, approximately 20 ft. by 100 ft. in area, having an L at the rear running the full width of 50 ft; of class 4 construction; erected 1935 and used for the striping of metal of electrolytic potentiality; and

WHEREAS, Violation No. 3250 was issued June 24, 1941 for having erected brick rear walls, wood roof, frame front walls of building without a permit; and

WHEREAS, the applicant contends that the one story building in question is constructed of brick and frame walls and wood roof; that the frame walls of the rear portion are surfaced on the interior with 26 gauge metal, as shown on plan filed June 17, 1942 with the borough superintendent, as amended to Alteration 387-42; and

WHEREAS, the applicant contends that the building in question has existed for 7 or 8 years, as an open frame shed utilizing certain brick walls which remained after adjoining buildings were demolished; that the occupants of the premises are now engaged in defense work and it became necessary to utilize the space in the open frame shed and a frame wall was erected at the front of the open shed, thereby creating the building which is the subject of this appeal; that never more than four persons occupy this portion of the premises; and that it is requested that the Board permit the structure to remain for the duration of the emergency after which time it will be entirely demolished; and

WHEREAS, the premises were inspected by a Committee of the Board.

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Resolved, that the decision of the borough superintendent on Alt. Applic. No. 387-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the structure shall not be increased in height or area and shall be removed within six (6) months; that meanwhile, this building except for the open shed portions shall be protected with a sprinkler system as an extension of the sprinkler system in the adjoining factory building under the same control; that an additional exit door shall be constructed opening into the open yard from the portion of the building used for factory purposes; that the ceiling of those portions occupied for the baking oven, spraying and laboratory shall be fire-retarded; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

571-42-A.

APPLICANT—Colonial Pipe and Supply Corporation, lessee, for Insular Lumber Sales Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Julius Holzberg.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (571-42-A)

WHEREAS, Colonial Pipe and Supply Corporation, lessee, for Insular Lumber Sales Corporation, owner, filed on July 15, 1942, an appeal from an order of fire commissioner, affecting premises 44-72 11th street and 10-57 45th avenue, northwest corner (Block No. 51, Lot Nos. 19 and 20), Long Island City, Borough of Queens; and

WHEREAS, Order No. 92242-LC, issued by the fire commissioner, June 17, 1942, reads:

"You are hereby notified that an inspection of the above premises, used as a private filling station, shows that the following must be done before the permit requested by you can be issued.

1. Remove all portable tanks containing gasoline from the premises, and discontinue the practice of storing gasoline in portable tanks, pending the installation of an approved storage system. Plans and specifications to be filed with and approved by the Department of Housing and Buildings before the work of installing storage tank is commenced. Tank to be tested and installation supervised by a representative of Division of Combustibles, Fire Department, C-19-11, Administrative Code."

and

WHEREAS, the applicant states that the building is two stories (15 ft.) in height; 45 ft. by 22 ft. in area; of Class 3 construction; erected 1919; located on a lot 125 ft. by 99 ft. 9 in. area; in an unrestricted use district and occupied as an office and yard for the storage of pipe and iron; and

WHEREAS, the applicant contends that the applicant has occupied the premises for 4 years as a dealer in iron and pipes and operates two motor trucks; that two portable gasoline tanks of 55 gallons each are maintained for fueling the applicant's trucks; that the applicant requests the Board to modify the order of the fire commissioner, so as to permit the use of the two portable gasoline tanks until such time as conditions permit the installation of a buried storage system; that the applicant is engaged in delivering to defense projects and it is absolutely essential that gasoline be kept on hand to supply the trucks; and

WHEREAS, the premises were inspected by a Committee of the Board.

Resolved, that the order of the fire commissioner, Order No. 92242-LC, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

636-42-A.

APPLICANT—Emma Grace Borst, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—179-29 153rd road, north side, 265.06 ft. east of Lombard street (Block No. 4661, Lot No. 10), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William Poellman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (636-42-A)

WHEREAS, Emma Grace Borst, owner, filed on August 27, 1942, an appeal from a decision of the borough superintendent, affecting premises: 179-29 153rd road, north side, 265.06 ft. east of Lombard street (Block No. 4661, Lot No. 10), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated August 25, 1942 on Alt. Applic. No. 1172-42 reads:

"1. The moving of a frame building from a location within the fire limits to another location within the fire limits is not permissible."

and

WHEREAS, the applicant states that the premises consist of a plot 40 ft. by 100 ft. in area, located in an undetermined use, "D" area district, upon which it is proposed to erect the building in question 22 ft. by 35 ft. in area, 2 stories (26 ft.), in height, of class 4 construction, to be occupied: cellar—storage and boiler 1st floor—dwelling, one family; 2nd floor—dwelling, one family; and

WHEREAS, the applicant contends that the building was moved from 154-57 Lombard street, a distance of approximately 700 ft. and which site is located in the fire limits; that title to the site upon which the building previously existed, was vested in the city for the Idlewild airport; that the proposed site has been owned by the applicant for upwards of 5 years; that the building has been completely renovated and reconstructed, provided with new plumbing, new fixtures, new foundation, new heating plant and some new plaster and partitions resulting in a total expenditure of \$4,000; that the location of the building on the lot, leaves an unoccupied area of 13 ft. on one side and 5 ft. on the other side and the nearest adjoining building is located 10 ft. from the building in question on one side and 20 ft. on the other side; and

WHEREAS, the applicant further contends that the building is surfaced on the exterior with frame siding and wood shingles and the roof is surfaced with asphalt shingles, as shown on photograph filed with this appeal marked "Received September 11, 1942"; and that the entire block is developed with buildings of similar construction.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1172-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall comply in all respects with the requirements for a similar building when erected outside the fire limits; that the open spaces on the lot as shown shall not be decreased.

314-34-A.

APPLICANT—C. C. Handy, for New York Central System, owner.

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SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—South side of Broadway, 90 ft. southeast of West 225th street (Block No. 2215, Lot No. 675), Borough of Manhattan.

APPEARANCES—

For Applicant: Saml. H. Hellenbrand.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (314-34-A)

WHEREAS, this appeal, affecting premises south side of Broadway, 90 ft. southeast of West 225th street (Block No. 2215, Lot No. 675), Borough of Manhattan, was granted by the Board December 18, 1934 for a temporary period of two years, on certain conditions, the period extended January 5, 1937, October 11, 1938 and September 10, 1940 and applicant requests a further extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on December 18, 1934, only so far as it has reference to term of permit, so that as amended that portion of resolution shall read:

"Granted for a term of two (2) years from the date of this *amended* resolution."

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

470-42-SA.

APPLICANT—Staten Island Chemical Corporation, owner.
SUBJECT—Application for consideration—reopening and restoration to calendar—re CEN-D-OU 1 (for extinguishing incendiary bombs), approval of (previously withdrawn).

APPEARANCES—

For Applicant: Cyril B. Jaynes.

ACTION OF BOARD—Application reopened, restored to calendar and referred to the Committee on Tests of the Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

954-38-SA.

APPLICANT—National Pumps Corporation, owner.
SUBJECT—National Pumps Corporation's Gasoline Pumps, Models A-38, B-38, C-38 and CC-38, approval of.

APPEARANCES—

For Applicant: Mitchell Golbert.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (954-38-SA)

WHEREAS, the National Pumps Corporation, owner, filed on October 31, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the National Pumps Corporation's Gasoline Pumps, Models A-38, B-38, C-38 and CC-38; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 12, 1942.

Re: Cal. No. 954-38-SA.

Subject: Approval of National Pumps Corporation's Gasoline Pumps, Models A-38, B-38, C-38 and CC-38.

The National Pumps Corporation of Cincinnati, Ohio, filed on October 31, 1938, with the Board of Standards and Appeals an application under the requirements of Section C19-69.0,c of the Administrative Code for approval of their power-operated discharge devices known as National Comput. Apex Gasoline Pumps, Models A-38, C-38, CC-38 and National Apex Gasoline Pump, Model B-38.

Model A-38 computing type gasoline dispensing pump has a rotary type pumping unit, which is driven by an electric motor with a "V" belt drive. The pumping unit draws the gasoline from the suction line or supply tank through a large fine mesh strainer which is located in the suction compartment of the air eliminator on which the motor and pumping unit is mounted. The gasoline is then pumped through the air eliminator, which is vented to the atmosphere at the top and outside the pump housing through the closed type hose nozzle boot, to the meter. The meter is a positive displacement piston type with leather cup washer, which drives a "Veeder Root" computer. The measured gasoline then passes through a discharge pipe to the bullseye type Visiflow indicator to the hose, and through a wet nose nozzle which is provided with an outlet check valve. The pump is provided with a combination check and relief valve just below the meter which relieves excessive pressures due to thermal expansion and also maintains a full Visiflow at all times. A special motor switch operating mechanism is located inside the housing and connected to the motor switch rod and the hose by means of a lever extending through the housing and a swivel coupling which is clamped on the hose. Assuming that the nozzle is in position on the hose hook, it is necessary to reset the computer to zero before delivery can be made to the next customer due to an interlock mechanism, which is provided to prevent turning on the motor switch after the nozzle has been hung in place on the hook. The motor cannot be turned on until the nozzle has been removed from the hook and then, by pulling on the hose which is connected to this special mechanism, the motor switch is turned on and delivery of gasoline can be made. By a slight release of pull on the hose, this mechanism will automatically turn off the motor switch.

Model C-38 is the same as Model A-38 except that it is placed in a housing having a different exterior housing.

Model CC-38 is the same as Model C-38 except that it is made up of two Model C-38 single chassis which are placed in a twin housing of the same design.

Model B-38 (clock type gasoline dispensing pump) is the same as Model A-38 except that it has a dial clock instead of a computer mechanism and is not provided with an interlock mechanism.

The applicant has submitted detailed drawings of the devices and copies of test report and approvals issued by the Underwriters', Inc. (Laboratory File No. MH2145).

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends that the National Pumps Corporation's Gasoline Pumps, Models A-38, B-38, C-38 and CC-38 be approved for use in New York City under the provisions of Sec. C19-69.0,c of the Administrative Code, provided that each pump unit bear a label permanently affixed thereto reading "Approved by the

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Board of Standards and Appeals for use in New York City under Cal. No. 954-38-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the National Pumps Corporation's Gasoline Pumps, Models A-38, B-38, C-38 and CC-38, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

1367-39-SM.

APPLICANT—Armstrong Cork Company, owner.

SUBJECT—Corkoustic, approval of.

APPEARANCES—

For Applicant: Emanuel M. Glick.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1367-39-SM)

WHEREAS, the Armstrong Cork Company, owner, filed on November 8, 1939, an application with the Board of Standards and Appeals for approval of the material known as Corkoustic; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 12, 1942.

Re: Cal. No. 1367-39-SM.

Subject: Approval of Corkoustic.

The Armstrong Cork Company of Lancaster, Pennsylvania, filed on November 8, 1939 with the Board of Standards and Appeals an application for approval, under the requirements of Sec. C26-178.0 of the Administrative Code, of its material known as Corkoustic for use in New York City under the pertinent provisions of the Administrative Code.

Corkoustic is an all-cork product in which particles of cork are bonded together into a block by use of heat to a temperature of 500° F., and pressure without the addition of any external binder other than the natural gums. Because of the heating of the particles to such high temperature, most of the combustible gases are distilled off, thus rendering the material practically fire-resistant. The block, after cooling, is cut into smaller units which are then sanded, sized, beveled and painted with a flat oleo-resinous base paint. Corkoustic is manufactured in three thicknesses and in various sizes as follows:

Thicknesses 1¼" (B4), 1½" (B5), 1¾" (B6)

Sizes (common) 12" x 12", 12" x 18", 18" x 18", 24" x 24", 12" x 36".

Sizes (other) 6" x 12", 9" x 9", 9" x 18", 9" x 24".

Sizes (Border units) 5⅞" x 36", 7" x 36", 9" x 36".

Corkoustic has a thermal conductivity of .27 b.t.u. sq. ft. per degree temperature difference, per hour, per

inch thickness. The applicant has furnished test data of the Acoustical Materials Association, which indicate that this material has sound absorption coefficients of .45 for 1¼" thickness, .50 for 1½" and .55 for 1¾". A ceiling panel consisting of nine 12 x 12 x 1½" Corkoustic tiles was subjected to a forty minute flame test at Columbia University (Report No. 2453) on May 26, 1937 to determine the fire-resistive qualities of the material. These samples of tile, selected from stock at the warehouse, were attached by means of Armstrong No. 306 Waterproof Cement and with four sixpenny nails toed-in on each side of the tile to a panel made up of wood furring strips, metal lath and plaster, similar to the construction of ordinary ceilings. For the test, the panel was suspended over an air-gas burner in a horizontal position with the tile surface down. The temperature at the tile surface was increased in accordance with the Standard time-temperature table, but with the time intervals halved so as to reach 1700 degrees F. in 30 minutes. The temperature was then maintained practically constant at 1700 degrees F. for an additional 10 minutes. On the removal of the gas burner, there was no flame and the glow lasted one minute and ten seconds. There was no tendency for the fire to spread beyond the area touched by the flame of the burner.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval, under Section C26-19.0,b of the Administrative Code, of Corkoustic as an incombustible material for use in New York City as sound and heat insulation under the pertinent provisions of the Administrative Code. When applied, the tile shall be secured by approved cement and with a six penny nail or equivalent clips on each side. In Class I construction, the tile shall be applied directly to the ceiling or partition, with all intervening spaces filled with incombustible material. When applied on hung ceilings, the base shall be plaster over metal lath. All containers in which this material is marketed for use in New York City shall be marked or labelled "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1367-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Corkoustic, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

10-40-SM.

APPLICANT—Forest Hills Concrete Block Co., Inc. owner.

SUBJECT—Forest Hills Concrete Block Co., Inc., Concrete and Cinder Blocks, approval of.

APPEARANCES—

For Applicant: Frank C. Keller.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy

Negative:

MINUTES

THE RESOLUTION (10-40-SM)

WHEREAS, the Forest Hills Concrete Block Co., Inc., owner, filed on January 5, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Forest Hills Concrete Block Co., Inc., Concrete and Cinder Blocks; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 14, 1942.

Re: Cal. No. 10-40-SM.

Subject: Forest Hills Concrete Block Co., Inc., Concrete and Cinder Blocks, approval of.

The Forest Hills Concrete Block Co., Inc., of Forest Hills, N. Y., filed on January 5, 1940, with the Board of Standards and Appeals an application for approval, under the requirements of Sec. C26-178.0b of the Administrative Code and the Rules of the Board for the Manufacture, Testing and Use of Concrete Masonry Units, of their concrete and cinder blocks for use in New York City under Sections C26-305.0 and C26-309.0 of the Administrative Code and under the Concrete Masonry Rules of the Board.

These concrete masonry units (Fig. 1) are manufactured by the applicants at their plant at Austin and Roxton streets in Forest Hills, N. Y., in the following nominal sizes:

1. 4 in. x 8 in. x 18 in.	Cinder Solid Non-load-bearing (NLB)
2. 4 in. x 8 in. x 18 in.	Cinder Hollow Non-load-bearing (NLB)
3. 4 in. x 8 in. x 18 in.	Cinder Hollow Load-bearing (LB)
4. 4 in. x 8 in. x 18 in.	Concrete Solid LB
5. 6 in. x 8 in. x 18 in.	Cinder Solid NLB
6. 6 in. x 8 in. x 18 in.	Cinder Hollow NLB
7. 6 in. x 8 in. x 18 in.	Cinder Solid LB
8. 6 in. x 8 in. x 18 in.	Cinder Hollow LB
9. 6 in. x 8 in. x 18 in.	Cinder Hollow LB Header
10. 6 in. x 9 in. x 18 in.	Cinder Hollow NLB Header
11. 8 in. x 8 in. x 18 in.	Cinder Solid (25% Voids) LB
12. 8 in. x 8 in. x 18 in.	Cinder Hollow LB
13. 8 in. x 8 in. x 18 in.	Cinder Hollow LB Header
14. 8 in. x 8 in. x 18 in.	Concrete Solid (25% Voids) LB
15. 8 in. x 8 in. x 18 in.	Concrete Solid LB
16. 8 in. x 8 in. x 16 in.	Concrete Hollow LB, Rock Face
17. 8 in. x 8 in. x 16 in.	Cinder Hollow LB
18. 8 in. x 12 in. x 16 in.	Concrete Solid LB
19. 8 in. x 12 in. x 16 in.	Concrete Hollow LB

The method of manufacture is as follows: For the cinder concrete units, steam cinders are purchased from Colonial Sand and Gravel Co., Triboro Carting Co.; they are run through a Mack roller crusher and screened for size, all metal parts and foreign matter being removed by a Binge Magnetic Roller. (The procedure from here on applies also to the manufacture of concrete units.) The materials are carried on conveyor belt to the weigh larry where the fine and coarse aggregates are proportioned by weight and then dumped into the mixer along with the cement; the materials are mixed dry for two minutes before the addition of water and thereafter for four minutes; after the wet mixing, the materials are fed into the block machine (the applicant uses both a Besser Vibra Pac and a Besser Super Tamper) where the block is formed and compressed by vibrating or tamping; the blocks are then removed from the machine on pallets conveyed on cars to the steam room and cured by low pressure steam generated by a Titusville boiler for from 12 to 18 hours; all units are stored in the yards for at least 28 days before shipment.

The cement has been approved by the Board of Standards and Appeals; New York City water is used; the surface moisture content of the aggregates is determined with the aid of a hot plate, a fixed volume container and a scale and the proper allowance made in adding the water, the flow of which is controlled by the use of a Hersey Meter with a large visible dial directly over the mixer; records (as required by rule 2.3.) will be kept; a clock (with a 12 in. face and sweep

second hand) for timing the mix has been provided in compliance with Rule 4.3.2.

The materials are batched by weight in the following proportions:

Cinder Blocks

NLB Hollow & Solid	1400 lbs. Fine Cinders 700 lbs. Coarse Cinders 376 lbs. Cement 12 gal. Water
LB Hollow	1400 lbs. Fine Cinders 700 lbs. Coarse Cinders 470 lbs. Cement 13 gal. Water
Solid 25% LB	1400 lbs. Fine Cinders 700 lbs. Coarse Cinders 564 lbs. Cement 14 gal. Water

Concrete Blocks

NLB Hollow	1700 lbs. Sand 1400 lbs. Grit 376 lbs. Cement 10 gal. Water
LB Hollow	1700 lbs. Sand 1400 lbs. Grit 470 lbs. Cement 12 gal. Water
Solid 25% LB	1700 lbs. Sand 1400 lbs. Grit 564 lbs. Cement 14 Gal. Water

Analysis of aggregates:

Sand: 98.5% passes #4 sieve: Loam and silt 0.6% by decantation method
Grits: 89.5% passes 3/8 in. sieve
Cinders: Unconsumed carbon 33.9% Sulphur 0.83%

Yield in Blocks per Bag of Cement

Cinder Solid		
4 x 8 x 18	NLB	38 per bag cement
6 x 8 x 18	NLB	27 per bag cement
6 x 8 x 18	LB	18 per bag cement
6 x 8 x 18 25%	LB	13 per bag cement
Cinder Hollow		
4 x 8 x 18	NLB	45 per bag cement
4 x 8 x 18	LB	36 per bag cement
6 x 8 x 18	NLB	33 per bag cement
6 x 8 x 18	LB	27 per bag cement
8 x 8 x 16	LB	21 per bag cement
8 x 8 x 18	LB	19 per bag cement
6 x 8 x 18 Header	LB	30 per bag cement
8 x 8 x 18 Header	NLB	25 per bag cement
6 x 9 x 18 Header	NLB	32 per bag cement
Concrete Solid		
8 x 8 x 18 25%	LB	13 per bag cement
4 x 8 x 18	LB	24 per bag cement
8 x 12 x 16	LB	11 per bag cement
Hollow Concrete		
8 x 8 x 18	LB	18 per bag cement
8 x 8 x 16 Rock Face	LB	18 per bag cement
8 x 12 x 16	LB	16 per bag cement

Samples of concrete blocks were selected from stock by representatives of the Board and forwarded to the Pittsburgh Testing Laboratory for test in conformity with the requirements of the Administrative Code and the Rules of the Board. All samples were at least 28 days old and were capped with a mixture of three parts of portland cement to one part of gypsum plaster. The results of the compression tests are as follows, measurements being in inches, weights in lbs., and strengths in lbs. p/s/i: Average of six units: (Numbers refer back to the above described units)

MINUTES

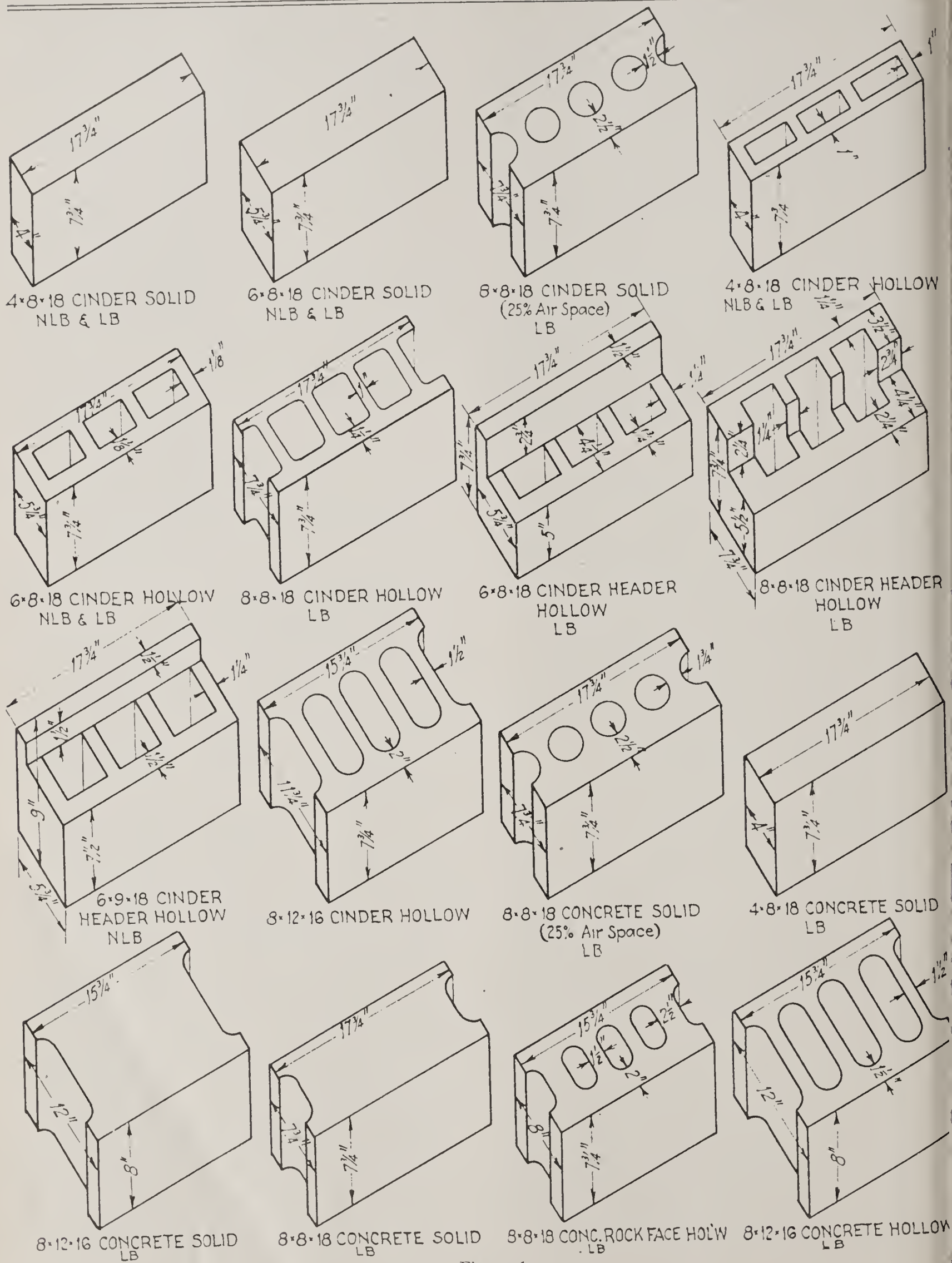


Figure 1

MINUTES

	Width	Height	Length	Weight	Compressive Strength			Required
					Aver.	Max.	Min.	
1.	4.0	7.80	17.75	27.16	777	1014	648	300
3.	4.0	7.76	17.75	20.38	892	1042	732	700
4.	4.0	7.85	17.75	41.89	2104	2761	1437	1500
6.	5.75	7.58	17.50	24.13	869	1053	651	300
8.	5.75	7.50	17.75	25.36	727	833	617	700
11.	7.85	7.82	17.75	50.65	1536	1931	1342	1500
12.	7.75	7.96	17.75	35.83	1068	1315	843	700
13.	5.75	5.00	17.50	26.11	1499	1968	1371	700
14.	7.80	7.80	17.75	65.46	2337	2469	2152	1500
16.*	8.00	7.61	15.75	43.14	771	603	952	700
19.	12.00	7.78	15.75	59.88	1418	1815	1307	700

* Eight units tested.

Absorption tests were made on the following units and the results and requirements are set forth herewith (Average of five units):

	Absorption p/c/f	Max.
11. 8 x 8 x 18 Cinder Solid (25% voids) LB	11.5%	15%
14. 8 x 8 x 18 Concrete Solid (25% voids) LB	9.6%	15%
16. 8 x 8 x 16 Concrete Hollow LB (Rock Face)	17.6%	15%
19. 8 x 12 x 16 Concrete Hollow LB	11.2%	15%

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Forest Hills Concrete Block Products (as manufactured as herein set forth at the applicant's plant in Forest Hills) pursuant to Sections C26-191.0, C26-309.0 and the Rules of the Board, for use in New York City as follows:

Solid units with a compressive strength of 1500 pounds or more for use under Section C26-309.0,b and d.

Hollow units with a compressive strength of 700 pounds or more for use under Section C26-309.0,a and d.

All other units for use under Section C26-309.0d.

However only these units may be used where exposed to the elements or soil:

(11) 8" x 8" x 18" Cinder Solid (25% Voids) LB.

(14) 8" x 8" x 18" Concrete Solid (25% Voids) LB.

(19) 8" x 12" x 16" Concrete Hollow LB.

This approval is recommended on the following conditions:

1. That these units be manufactured according to the same specifications as herein set forth.
2. That these units be manufactured, cured, stored and used in accordance with the requirements of the Administrative Code and the Rules of the Board for the manufacturing, testing and use of Concrete Masonry units.
3. That these units be marked as required by Rules 8.1, 8.2, and 8.4.
4. That Rule 8.5 be complied with.
5. That 9 copies of drawings showing the manufacturer's distinguishing mark and its method of application with the additional marks required by Rules 8.1 and 8.2 shall be filed with the Board and accepted before this approval becomes effective.
6. That quarterly test reports of compression for not less than three representative samples of each size of block described herein, manufactured during the quarter, be filed with the Board. Unless these tests are performed at a Laboratory approved by the Board, such reports shall be verified before a notary public or commissioner of deeds by the person performing the same.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Forest Hills Concrete Block Co., Inc., Concrete and Cinder Blocks, on condition that the material be manufactured, labelled, stamped or tagged in accordance with above report.

569-40-SM.

APPLICANT—Blue Ridge Glass Corporation, owner.

SUBJECT—Blue Ridge Corporation's Glass, approval of.

APPEARANCES—

For Applicant: Robert Ingouf.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (569-40-SM)

WHEREAS, the Blue Ridge Glass Corporation owner, filed on May 27, 1940, an application with the Board of Standards and Appeals for approval of the material known as Blue Ridge Corporation's Glass; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 14, 1942.

Re: Cal. No. 569-40-SM.

Subject: Approval of Blue Ridge Corporation's Glass.

The Blue Ridge Glass Corporation of Kingsport, Tennessee, filed on May 27, 1940, with the Board of Standards and Appeals an application for approval of its various glasses under the requirements of Section C26-178.0,b of the Administrative Code.

Blue Ridge Figured Glass (soda-lime-silica glass) is made by a process in which engraved rolls imprint the desired pattern on a continuous ribbon of glass as it is drawn from the melting tank. The figured wire glasses are similarly produced, chromium plate wire mesh being introduced into the molten glass immediately before the sheet is formed. Polished wire glass blanks are made by a sandwich process in which two sheets of glass are rolled and progressively sealed with wire mesh between. Aklo figured and Wire and Aklo Polished Wire glasses are each manufactured similarly to the soda-lime-silica products but the glass composition is entirely different to give it high opacity to the invisible radiations (infrared) and low expansion to withstand the resulting shock to which it is subjected in service. Regular sampling and checking by physical laboratory tests assures control of heat and light transmission and color of glass. Satinol finish is applied to any of the soda-lime-silica glasses subsequent to the original rolling to provide greater obscurity, increased diffusion of light and gives a soft matte finish. Frosted glass is available in both Regular and Aklo and is intended primarily for glare reduction by diffusion. It is a chemical etching process similar to the treatment given the inside frosted light bulb, and is ordinarily applied to both sides of the sheet.

Blue Ridge Glass is made in the following types, thicknesses and maximum sizes:

	Thickness (in.)	Max. Sizes
Rolled Figured Glass—Unwired (many patterns)	1/8 to 1/2	60 x 136
Rolled Figured Glass—wired (many patterns)	1/4 to 1/2	60 x 144
Polished Plate wire glass.....	1/4	60 x 144
Aklo Heat-Absorbing Figured Glass	1/8 to 1/4	60 x 136
Aklo Heat-Absorbing Wired Glass	1/4	60 x 144

MINUTES

Tests to determine the fire-resistive qualities of the various wire glasses were made by the Underwriter's Laboratories, Inc., as follows: (1) Plate glass $\frac{1}{4}$ in. thick with a woven hexagonal wire mesh of No. 24AWG steel (test May 15, 1928, Underwriter's Report 2129), (2) Plate glass $\frac{1}{4}$ in. thick with welded wire mesh of 24 AWG steel in quadrangular and diamond patterns (Test April 26, 1940, Underwriter's Application 39C 3159, Retardant 2129) and (3) Aklo glass $\frac{1}{4}$ in. thick with woven and with welded wire mesh of No. 24 AWG steel, embedded therein (Test March 19, 1942, Underwriter's Application 42C10, Retardant 2129. Tests 1 and 2 were conducted for 60 minutes and test 3 was conducted for 45 minutes in accordance with the Standard Time-Temperature curve. On the basis of those tests the Underwriter's Laboratories, Inc., approved the Blue Ridge Wire Glass as Retardants No. 2129, the tests indicating also that the glasses successfully met the fire-resistive requirements of the Administrative Building Code.

Recommendation.

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Blue Ridge Glass Corporation's Wire Glass of the welded and of the woven mesh types, under the provisions of Sec. C26-178.0.b and Sec. C26-191.0 for use under the pertinent provisions of the Administrative Building Code and of the Labor Law, subject to the limitations therein contained; the Committee also recommends the approval of the other types of Blue Ridge Glasses listed herein, for permissive use under Sec. C26-178.0.b of the Administrative Code. When glass, as tested by the Underwriters, for openings required to have a fire-resistive rating, the window sash shall be approved by the Board, for such use. Each sheet of glass marketed under this approval shall be marked or labelled "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 569-40-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Blue Ridge Corporation's Glass, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

Adjourned: 3:10 P. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION.

The minutes of the meeting of the Board of Standards and Appeals held on September 15, 1942, as they appeared in Bulletin No. 38, Vol. 27, are hereby corrected to read as follows:

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

662-26-BZ.

APPLICANT—George H. Cohn, for Cities Service Oil Company, owner.

SUBJECT—Application for consideration—reopening and rehearing under alleged new facts—re Application (decision of the acting borough superintendent) previously denied under section 7f of the zoning resolution, to permit in a business use district, for a stated term of years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx.

APPEARANCES—

For Applicant: George H. Cohn.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3

THE RESOLUTION (662-26-BZ)

WHEREAS, this application under Section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, affecting premises 3504-3510 Boston road and 3410 Eastchester road, southeast corner (Block No. 4723, Lot No. 66), Borough of The Bronx, was denied by the Board on December 21, 1926; and

WHEREAS, this application was reopened under Section 7-g of the zoning resolution and granted by the Board on March 15, 1927, on certain conditions, for a temporary period of two (2) years, subsequently the permit was extended for another two (2) years on April 9, 1929; and

WHEREAS, on January 15, 1935, the Board extended the permit for another period of two (2) years; and

WHEREAS, the owner requested a reopening of this case under Section 21 of the zoning resolution, to permit the permanent maintenance of this gasoline service station and the application was denied by the Board on December 14, 1937 and the Board's action was subsequently affirmed by the Courts; and

WHEREAS, the owner requested a reopening of the application under Section 7-f of the zoning resolution, to permit the erection and maintenance of a gasoline service station for a stated term of years and the Board denied this application on June 2, 1942; and

WHEREAS, George H. Cohn, for Cities Service Oil Company, present owner, requested a reopening and rehearing under alleged new facts, to permit under Sections 7-e, 7-f and 21 of the zoning resolution, the erection and maintenance of a gasoline service station for a stated term of years; and

WHEREAS, the Board deemed that subdivision e of Section 7 of the zoning resolution is not applicable; and

WHEREAS, the Board deemed that no substantial new facts were presented as would differentiate the application from the previous application and that the application would therefore not be accepted for consideration under either Section 7, subdivision f or Section 21.

Resolved, that the request for reopening be and it hereby is *denied*.

* Correction—The wording of the 6th preamble clause corrected to read as printed above, the insertion of the 7th preamble clause and the correction of the 8th preamble clause.

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

**LOCATIONS AT WHICH ZONING VARIANCES FOR A TEMPORARY TERM HAVE
BEEN GRANTED FOR TRANSIENT PARKING OR STORAGE FOR
MORE THAN FIVE MOTOR VEHICLES**

BOROUGH OF QUEENS					
Calendar Number	Location	Expiration Date	Calendar Number	Location	Expiration Date
737-28-BZ	28-09 31st street	10-18-43	517-39-BZ	33-02 Astoria boulevard	2-10-44
46-33-BZ	Edgemere avenue, S. S. B. 52nd to B. 53rd street	6- 9-44	822-39-BZ	49-11 Lawrence street	3-19-42
174-33-BZ	397 St. Nicholas avenue	7- 8-43	1160-39-BZ	376 Seneca avenue	12- 9-43
351-35-BZ	35-40 Junction boulevard	1-13-44	1285-39-BZ	21-29 44th drive	3-31-44
158-36-BZ	83-26 Austin street	9-10-42	1286-39-BZ	105-09 64th road	2-13-42
364-36-BZ	31-64 31st street	10-28-43	1287-39-BZ	105-02 64th avenue	2-13-42
1-37-BZ	67-02 62nd street	2- 3-44	1308-39-BZ	32-14 31st street	11- 2-43
54-37-BZ	160-13 Archer avenue	2- 3-44	1321-39-BZ	142-23 Roosevelt avenue	12-16-42
103-37-BZ	25-14 Catalpa avenue	1- 4-40	1421-39-BZ	90-02 Northern boulevard	6-18-41
104-37-BZ	89-37 161st street	3-11-43	1460-39-BZ	142-33 Roosevelt avenue	1-13-44
105-37-BZ	89-47 162nd street	4-15-43	1478-39-BZ	175-01 Hillside avenue	10-15-43
106-37-BZ	89-17 165th street	2- 1-40	1493-39-BZ	88-05 168th street	11-13-42
107-37-BZ	89-13 164th street	6- 2-44	2-40-BZ	45th avenue, S. S. 180 feet E. of 80th street	9-24-42
108-37-BZ	90-05 160th street	3-11-43	38-40-BZ	87-68 170th street	10-15-42
119-37-BZ	89-17 162nd street	4-15-43	162-40-BZ	31-06 31st avenue	6-17-43
120-37-BZ	89-28 161st street	11- 9-39	377-40-BZ	10-25 49th avenue	1- 7-43
147-37-BZ	25-68 Steinway avenue	11-18-43	500-40-BZ	147-19 90th avenue	6-24-43
208-37-BZ	22-65 31st street	4-28-44	607-40-BZ	89-16 Sutphin boulevard	1-14-43
247-37-BZ	40-23 69th street	10-15-42	638-40-BZ	41-48 80th street	6-16-44
262-37-BZ	21-11 Menahan street	12- 3-42	690-40-BZ	91-06 Northern boulevard	11-26-42
263-37-BZ	28-11 41st street	2- 8-40	968-40-BZ	168-33 Jamaica avenue	1-14-43
279-37-BZ	41-10 28th avenue	2-17-44	1070-40-BZ	89-39 162nd street	4-15-43
348-37-BZ	77-03 Roosevelt avenue	2-18-43	1075-40-BZ	89-11 166th street	10- 7-43
361-37-BZ	91-01 Roosevelt avenue	11-12-43	1119-40-BZ	137-35 Queens boulevard	11-25-43
366-37-BZ	75-10 37th avenue	4- 7-44	1211-40-BZ	88-17 168th street	5- 6-43
382-37-BZ	43-26 48th street	4-23-44	1222-40-BZ	72-02 Roosevelt avenue	5-20-43
389-37-BZ	31-08 45th street	4-12-44	262-41-BZ	86-18 Whitney avenue	7- 8-43
411-37-BZ	366 Seneca avenue	5-20-43	263-41-BZ	88-02 43rd avenue	7- 8-43
413-37-BZ	50-10 Roosevelt avenue	2-10-44	375-41-BZ	44-02 Queens boulevard	2-17-44
418-37-BZ	115 Myrtle avenue	1-28-43	558-41-BZ	14-31 Beach 18th street	8- 6-43
420-37-BZ	136-30 Roosevelt avenue	6-11-42	571-41-BZ	26-02 Seagirt avenue	7-17-43
438-37-BZ	41-15 Kissena boulevard	4- 7-44	574-41-BZ	31-17 46th street	1-20-44
444-37-BZ	136-20 39th avenue	1- 3-42	585-41-BZ	109-02 Rockaway Beach boulevard..	7-17-43
479-37-BZ	89-58 163rd street	3-10-44	586-41-BZ	311 Beach 44th street	7-17-43
489-37-BZ	38-15 Union street	1-28-43	587-41-BZ	32-11 Sprayview avenue	7-17-42
531-37-BZ	23-28 30th street	2-18-43	588-41-BZ	201 Beach 29th street	7-17-42
532-37-BZ	136-56 39th avenue	7- 6-40	589-41-BZ	29-01 Lewmay road	7-17-43
537-37-BZ	72-01 Roosevelt avenue	10- 8-42	592-41-BZ	133 Beach 5th street	7-17-43
594-37-BZ	39-34 60th street	3- 3-44	593-41-BZ	1011 Beach 19th street	7-17-43
595-37-BZ	170-15, 171-01, 172-01, 173-05 Hill- side avenue	9-15-44	595-41-BZ	308 Beach 44th street	7-17-43
608-37-BZ	142-17 Roosevelt avenue	12- 3-42	626-41-BZ	165-10 Baisley boulevard	3- 3-44
609-37-BZ	91-02 168th street	3-18-43	654-41-BZ	106 Beach 87th street	8- 6-43
10-38-BZ	136-20 37th avenue	10-22-42	656-41-BZ	100-02 Rockaway Beach boulevard	8- 6-43
23-38-BZ	136-43 37th avenue	1- 7-43	677-41-BZ	11-25 Foam place	3-31-44
44-38-BZ	89-22 165th street	6- 2-44	678-41-BZ	102 Beach 35th street	8- 6-43
89-38-BZ	16-82 Palmetto street	1-20-44	679-41-BZ	35-01 Sprayview avenue	8- 6-43
94-38-BZ	89-04 166th street	12-17-42	680-41-BZ	167 Beach 61st street	8- 6-43
95-38-BZ	136-28 39th avenue	10-21-43	681-41-BZ	91 Beach 87th street	8- 6-43
199-38-BZ	137th street and 85th ave., S. E. corner	7-14-44	695-41-BZ	96-02 Rockaway Beach boulevard..	4-14-44
485-38-BZ	168-29 88th avenue	6-24-43	696-41-BZ	101-15 Rockaway Beach boulevard..	7-28-44
523-38-BZ	23-22 31st street	9-15-44	698-41-BZ	157 Beach 61st street	4-28-44
705-38-BZ	136-23 38th avenue	9-15-44	704-41-BZ	127 Beach 67th street	7- 7-44
819-38-BZ	75-01 Broadway	9-23-41	705-41-BZ	170 Beach 105th street	7-21-44
866-38-BZ	21-23 31st street	4-15-43	706-41-BZ	115 Beach 96th street	7-14-44
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BOROUGH OF QUEENS					
Calendar Number	Location	Expiration Date	Calendar Number	Location	Expiration Date
832-41-BZ	111-20 Rockaway Beach boulevard..	4-21-44	1024-41-BZ	121 Beach 30th street	4-14-44
833-41-BZ	88 Beach 61st street	4-21-44	1027-41-BZ	170 Beach 42nd street	6-16-44
834-41-BZ	191 Beach 61st street	4-28-44	1028-41-BZ	29-07 Seagirt avenue	5-26-44
835-41-BZ	102 Beach 61st street	4-28-44	1032-41-BZ	175 Beach 72nd street	6-16-44
836-41-BZ	98-01 Rockaway Beach boulevard...	5-26-44	1033-41-BZ	268 Beach 116th street	5-26-44
837-41-BZ	156 Beach 68th street	4-28-44	1105-41-BZ	91-12 Roosevelt avenue	4-7-44
841-41-BZ	33-03 Sprayview avenue	5-26-44	1-42-BZ	62-28 Junction boulevard	3-3-44
842-41-BZ	167 Beach 41st street	6-16-44	10-42-BZ	220-20 Jamaica avenue	7-21-44
844-41-BZ	9-09 Seagirt avenue	5-26-44	110-42-BZ	110-120 Beach 30th street	6-30-44
845-41-BZ	14-07 Seagirt avenue	7-14-44	213-42-BZ	69-02 Austin street	7-7-44
864-41-BZ	88-27 Rockaway Beach boulevard..	4-28-44	260-42-BZ	36-02 Sprayview avenue	7-14-44
910-41-BZ	90-11 161st street	2-24-44	262-42-BZ	159-173 Onderdonk avenue	6-30-44
1022-41-BZ	124 Beach 63rd street	6-16-44	265-42-BZ	21-10 New Haven avenue	7-14-44
1023-41-BZ	162 Beach 110th street	7-28-44	315-42-BZ	219 Beach 88th street	7-14-44

BOROUGH OF THE BRONX					
Calendar Number	Location	Expiration Date	Calendar Number	Location	Expiration Date
101-32-BZ	2871 Bailey avenue	5-19-44	377-39-BZ	280 E. 167th street	3-4-43
207-33-BZ	401 E. 203rd street	5-18-39	510-39-BZ	5821 Broadway	7-1-43
337-33-BZ	River avenue, E. S. 100 Ft. N. 161st street	10-22-42	846-39-BZ	162nd street S. S. 100 Ft. W. of Sheridan avenue	10-31-41
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328-35-BZ	922 Westchester avenue	2-10-44	1017-39-BZ	448 E. 189th street	12-16-43
70-36-BZ	2692 Jerome avenue	7-7-38	1181-39-BZ	Sedgwick avenue and 167th street, N. W. corner	1-28-43
148-36-BZ	856 E. 167th street	12-13-40	1182-39-BZ	1231 Boscobel avenue	11-26-42
261-36-BZ	2891 Bailey avenue	10-15-42	1183-39-BZ	3057 Webster avenue	10-2-42
314-36-BZ	619 E. 163rd street	2-17-44	513-40-BZ	2958 Webster avenue	10-21-43
3-37-BZ	2825 Bailey avenue	3-18-43	532-40-BZ	988 Forest avenue	6-17-43
11-37-BZ	6007 Broadway	4-22-43	583-40-BZ	3096 Webster avenue	1-20-44
216-37-BZ	461 Grand Concourse	11-3-42	1022-40-BZ	309 E. 149th street	4-29-43
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388-37-BZ	2159 White Plains avenue	6-2-44	1080-40-BZ	3490 Jerome avenue	9-30-43
414-37-BZ	796 E. 166th street	5-24-43	1129-40-BZ	2750 Webster avenue	10-21-43
619-37-BZ	3664 Jerome avenue	5-26-44	1206-40-BZ	5550 Broadway	10-28-43
127-38-BZ	195 W. 237th street	9-15-44	22-41-BZ	3128 Webster avenue	10-21-43
503-38-BZ	2327 Bathgate avenue	9-16-43	37-41-BZ	3349 Webster avenue	10-7-43
624-38-BZ	3335 Hull avenue	2-6-42	55-41-BZ	3551 Bainbridge avenue	5-20-43
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762-38-BZ	1670 Southern boulevard	5-13-43	216-41-BZ	55 W. 169th street	10-21-43
803-38-BZ	3901 White Plains avenue	2-4-43	464-41-BZ	3929 Third avenue	11-12-43
931-38-BZ	252 E. 203rd street	5-6-43	90-42-BZ	1253 Boscobel avenue	5-19-44
1180-38-BZ	1157 Prospect avenue	4-15-43			

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

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OCTOBER 6, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, October 6, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

174-42-BZ—Application, June 15, 1942, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Temple Beth-El, owner, to permit in a residence use and, also, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution; premises 121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

160-42-BZ—Application, February 20, 1942, under section 21 of the zoning resolution, of Oscar I. Silverstone, applicant, on behalf of Susan McPherson, owner, to permit in a residence use and F area district, the erection and maintenance of a one (1) family dwelling, not complying with the zone resolution as to required side yards and also, as to the occupied area of the lot; premises 3336 Bedford avenue, west side, 125 ft. south of Avenue L (Block No. 1642, Lot No. 52), Borough of Brooklyn.

139-42-BZ—Application, July 6, 1942, under section 7h of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 ft. 0½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

148-42-BZ—Application, July 9, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Felix Vichione, owner, to permit in a business use district, for a term of two (2) years, the

parking and storage of more than five (5) motor vehicles; premises 492-500 Lorimer street and 56-62 Powers street, southeast corner (Block No. 2780, part of Lot No. 1), Borough of Brooklyn.

1294-39-BZ—Application, October 18, 1939, under section 21 of the zoning resolution, of Gilbert Miles Ramsey, applicant, on behalf of Shell Oil Company, Incorporated, owner, to permit in a business use district, the alteration and reconstruction of buildings now used as a public garage and, also, accessory building to a gasoline service station and, also, the extension of the area of the gasoline service station; premises 112-124 Flatbush avenue extension and 134-140 Tillary street, southwest corner (Block No. 132, Lot No. 14), Borough of Brooklyn.

557-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 95-07 63rd road, north side, 20.43 ft. west of 96th street (Block No. 2084, Lot Nos. 153, 155 and 156), Rego Park, Borough of Queens.

558-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 101), Rego Park, Borough of Queens.

217-42-BZ—Application, March 18, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mollie Barth, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 158 East 205th street, south side, 80 ft. east of Grand Concourse (Block No. 3311, Lot No. 105), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 6, 1942, 2 P. M.

Appeals from Administrative Decisions.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (1st floor, front room); (Block No. 1198, Lot No. 23), Borough of Manhattan.

679-42-A—405 East 4th street, north side, 200 ft. west of East River drive (Block No. 359, part of Lot No. 36), Borough of Manhattan.

689-42-A—21-03 44th avenue, northeast corner of 21st street (Block No. 441, Lot No. 9), Long Island City, Borough of Queens.

Materials for Approval.

863-41-SM—Dereka Damp-proof Black Paint and Dereka Metal Paint, Red No. 500.

979-41-SM—Koven 275 Gallon Obround Fuel Oil Tank.

OCTOBER 14, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Wednesday morning, October 14,*

CALENDAR

1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

559-37-BZ—Application of Samuels and Samuels, applicants, on behalf of Fellman Realty Corporation, owner, reopened April 28, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

291-42-BZ—Application, April 7, 1942, under section 21 of the zoning resolution, of Engadine Holding Corporation, applicant and owner, to permit in a residence use and, also, two (2) times height district, the maintenance of a glass enclosure on the 31st story of the existing (hotel) building; this enclosure is contrary to section 26 of the multiple dwelling law as the height of the building exceeds 178 feet and, also, contrary to the height regulations of the zoning resolution; premises 50-56 West 59th street, south side, 120 ft. east of Sixth avenue and 1430-1436 Sixth avenue (Block No. 1274, Lot No. 71), Borough of Manhattan.

282-42-BZ—Application, April 6, 1942, under sections 7h and 21 of the zoning resolution, of Irving Kirshenblit, applicant, on behalf of Pauline Saltzman, owner, to permit in a business use district, the maintenance of an existing garage for five (5) motor vehicles and also, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2181-2187 Pitkin avenue, north side, 25 ft. east of Bradford street (Block No. 3725, Lot No. 32), Borough of Brooklyn.

341-42-BZ—Application, April 24, 1942, under section 21 of the zoning resolution, of Ferdinand Savignano, applicant, on behalf of Mae Feiola, owner, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment; premises 59 Madison street, north side, 66 ft. 2 in. east of Oliver street (Block No. 279, Lot No. 31), Borough of Manhattan.

206-42-BZ—Application, March 16, 1942, under section 7f of the zoning resolution, of Frank C. Keller, applicant, on behalf of Henry Hiller, owner (Richfield Oil Corporation of New York, lessee), to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles upon an existing gasoline service station; premises 91-02 63rd drive, northeast corner of Alderton street (Block No. 3104, Lot No. 208), Rego Park, Borough of Queens.

402-42-BZ—Application, May 18, 1942, under section 7e of the zoning resolution, of Frank Flinker, applicant, on behalf of Morris Feuigersch, owner (Standard Tex and Kalsomine Company, lessee), to permit in a business use district, for a term of two (2) years, the sale and display of paint with 25% of the floor area used for paint mixing; premises 2542 (2540 displayed) Atlantic avenue and 47 Williams avenue, southeast corner (Block No. 3683, Lot No. 23), Borough of Brooklyn.

330-42-BZ—Application, April 22, 1942, under section 7c of the zoning resolution, of Eugene De Rosa, applicant, on behalf of Jeron Company, Incorporated, owner, to permit partly in a business use and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunders street (Block No. 3080, Lot Nos. 30 and 31), Rego Park, Borough of Queens.

353-42-BZ—Application of Charles M. Lobejager, applicant, on behalf of Bulova Watch Company, owner, reopened September 22, 1942, under section 7c of the zoning resolution, to permit in a business use district, the erection of a building, three (3) stories and basement in height, to be used for manufacturing in excess of the area permitted to be used for manufacturing in a business use district (previously permitted by the Board to be erected two (2) stories

and basement in height); premises 40-05 61st street, 40-06 62nd street, the south side of Woodside avenue, from 61st street to 62nd street (Block No. 1336, Lot Nos. 38, 41, 42 and 47), Woodside, Borough of Queens.

408-42-BZ—Application, May 19, 1942, under section 21 of the zoning resolution, of S. Walter Katz, applicant, on behalf of The Gerry Estates, Incorporated, owner (I. A. Managament Corporation, lessee), to permit in a building located in a restricted retail use district, a proposed occupancy of 25% manufacturing on the 2nd to 7th stories, premises 65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

1076-22-BZ—Application of Tobias Goldstone, applicant on behalf of Rubar Realty Corporation, owner, reopened September 22, 1942, under section 21 of the zoning resolution, to permit in a business use district, the alteration and change of use of a building from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and a newspaper distributing station, which will include the storage of more than five (5) motor vehicles; premises 204-210 (Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

Appeals from Administrative Decisions.

673-42-A—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

401-42-S—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

OCTOBER 14, 1942, 2 P. M.

Appliances and Materials for Approval.

21-36-SA—Herco Oil Burner (reopened June 4, 1941, re amendment of resolution to include approval of additional Model P-5).

1133-39-SA—Bettendorf Oil Burner (reopened February 25, 1941, re amendment of resolution to include approval of additional Models B and B1).

193-42-SA—ES Emergency Release Switch.

295-41-SM—Kencoustic.

415-38-SM—Flintkote Built-Up Roofing (for reopening and amendment of resolution).

OCTOBER 20, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provision of the zoning resolution, *Tuesday morning, October 20, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

159-36-BZ—Application of Alurion Realty Corporation, owner, and Public Service Interstate Transportation Company, lessee, reopened February 18, 1941, under section 7h of the zoning resolution, to permit in a retail one (1) use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (Bus Terminal); premises 245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1017, Lot No. 3), Borough of Manhattan.

363-42-BZ—Application, May 5, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adey, owner, to permit

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in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

596-42-BZ—Application, July 27, 1942, under section 7c of the zoning resolution, of Koch and Wagner, applicants, on behalf of The Roberts Numbering Machine Company,

owner, to permit in a residence use district, the erection and maintenance of a garage for five (5) motor vehicles (of the pleasure car type) for storage of cars owned by the officers of the owners of factory buildings located on the same plot; premises 30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block No. 4102, Lot Nos. 19 and 35), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*.

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BOARD OF STANDARDS AND APPEALS

RECESSED MEETING

FRIDAY MORNING, SEPTEMBER 25, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

APPEAL FROM ADMINISTRATIVE DECISION.

685-42-A.

APPLICANT—Air Reduction Sales Company (lessee), for Defense Plant Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—206-224 Stewart avenue, east side, entire block, bounded by Ten Eyck street, Gardner avenue and Meadow street (Block No. 2952, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Thomson and W. Y. Scofield.

ACTION OF BOARD—Recessed to September 28, 1942 at 3:30 P. M., for further consideration by the Board.

Recessed: 10:20 A. M. to Monday, September 28, 1942, 3:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

RECESSED MEETING

MONDAY AFTERNOON, SEPTEMBER 28, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

APPEAL FROM ADMINISTRATIVE DECISION.

685-42-A.

APPLICANT—Air Reduction Sales Company (lessee), for Defense Plant Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—206-224 Stewart avenue, east side, entire block, bounded by Ten Eyck street, Gardner avenue and Meadow street (Block No. 2952, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: W. Y. Scofield.

ACTION OF BOARD—Recessed, subject to the call of the Chair.

Recessed: 3:45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 29, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning, September 22, 1942 and Tuesday afternoon, September 22, 1942, were approved, as printed in Bulletin No. 39, Vol. 27.

ZONING CASES.

291-42-BZ.

APPLICANT—Engadine Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district and, also, two (2) times height district, the maintenance of a glass enclosure on the 31st story of the existing (hotel) building; this enclosure is contrary to section 26 of the multiple dwelling law as the height of the building exceeds 178 feet and, also, contrary to the height regulations of the zoning resolution.

PREMISES AFFECTED—50-56 West 59th street, south side, 120 ft. east of Sixth avenue and 1430-1436 Sixth avenue (Block No. 1274, Lot No. 71), Borough of Manhattan.

APPEARANCES—

For Applicant: Zareh Sourian, S. Gregory Taylor and John Stephanidis.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 14, 1942 at 10 A. M. for applicant to obtain new decisions from borough superintendent.

408-42-BZ.

APPLICANT—S. Walter Katz, for The Gerry Estates, Incorporated, owner (I. A. Management Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a building located in a restricted retail use district, a proposed occupancy of 25% manufacturing on the 2nd to 7th stories.

PREMISES AFFECTED—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: S. Walter Katz and John Leonard.

For Opposition: M. Roth and A. C. Crane.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 14, 1942 at 10 A. M. for further consideration by the Board.

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264-32-BZ.

APPLICANT—Lama and Proskauer, for New York Bonded Warehouse, Incorporated, Owner (David Levine, lessee).

SUBJECT—Application reopened April 7, 1942 (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station and also, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—355-365 Kings Highway and 1741-1753 West 4th street, northeast corner (Block No. 6653, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and David Levine.

For Opposition: George Langberg and Earl M. Carpenter.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (264-32-BZ)

WHEREAS, this application, under Section 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles, affecting premises 355-365 Kings highway and 1741-1753 West 4th street, northeast corner (Block No. 6653, Lot No. 33), Borough of Brooklyn, was denied by the Board on November 22, 1932; and

WHEREAS, Lama and Proskauer, for the N. Y. Bonded Warehouse Incorporated, present owner, requested a reopening of the application, to permit under Section 7-c of the zoning resolution, the extension of an existing gasoline service station and also the inclusion of parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board on April 7, 1942, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 29, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Kings highway is in a business use district; West 4th street and West 3rd street are each in a residence and business use district; Quentin road is in a residence use district; and

WHEREAS, the decision of the borough superintendent dated March 25, 1942 re B. N. Applic. No. 395-42 reads:

"The proposed change of occupancy of an existing gasoline service station located in a business use district to include the storage and parking of more than five motor vehicles, and the extension of the gasoline service station and motor vehicle storage and parking use into the portion of the plot located in a residence use district is prohibited by Art. II Sec. 4a (15) and Art II Sec. 3, respectively, of the Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 106 ft. on Kings highway, 112 ft. on West 4th street and a distance of 100 ft. along the northerly lot line. An irregular shaped area at the north end of the plot (having a frontage of approximately 12 ft. on West 4th street) is in a residence use district—the remainder of the plot is in a business use district; that upon the plot, there is located a one story building 80 ft. by 25 ft. in area occupied as office, auto laundry and lubritorium; that upon the Kings highway front of the plot, there are the necessary tanks and pumps for a gasoline service station; that according to Fire Depart-

ment records, the approved gasoline station has a frontage of 105 ft. on Kings highway, 80 ft. on West 4th street, 84 ft. along the easterly lot line and 100 ft. along the northerly lot line; that it is proposed to use the entire plot as a gasoline service station, including the parking of more than 5 motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7c thereof, to permit the parking and storage of motor vehicles on condition that such parking and storage shall be permitted only between the accessory building and Kings highway and at no time between the accessory building and the northerly property line; that there shall be constructed along the westerly building line along West 4th street from a point in line with the front of the accessory building to the property line of Lot No. 74, a masonry wall not less than 5 ft. in height and properly coped; that the portion of the premises under the same ownership to the rear of the accessory building shall not be occupied except for the purpose of a driveway only from the present laundry and greasing pit; that no motor vehicle repairing shall be permitted on the premises; that the accessory building shall not be extended in height or area; that in all other respects, the occupancy of the premises shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

542-41-BZ.

APPLICANT—Dominic Russo (lessee), for Dominic Russo and Estate of Andrew Hagaman, owners.

SUBJECT—Application (re decision of the acting borough superintendent) under section f of the zoning resolution, to permit upon a plot, located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop.

PREMISES AFFECTED—936 Richmond avenue, west side, 143.41 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond.

APPEARANCES—

For Applicant: Italo Nicolai.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative: 0

THE RESOLUTION (542-41-BZ)

WHEREAS, Dominic Russo, for Dominic Russo and Estate of Andrew Hagaman, owners, filed June 16, 1941, an application under section 7-f of the zoning resolution, to permit upon a plot located partly in a business use and partly in a residence use district, the extension of an existing motor vehicle repair shop; premises, 936 Richmond avenue, west side, 143.41 ft. south of Forest avenue (Block No. 1706, Lot Nos. 39 and 36), Port Richmond, Borough of Richmond and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 29, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Richmond avenue is in business an

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etail use districts; Forest avenue is in a business use district and Monsey place is in residence and business use districts; and

WHEREAS, the decision of the Borough Superintendent, dated May 22, 1941 and as amended April 21, 1942, re Alt. Applic. No. 677-42, reads:

"This application for a permit to extend an existing motor vehicle repair shop, is hereby denied as being contrary to Art. 2, sec. 4, Para. a-29 as the premises are located in a residential and business use district."

and WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 88 ft. and a depth of 124 ft.; that part of the rear portion of the plot extends into the residence use district for a distance of approximately 24 ft.; that the remainder of the property is in a business use district; that upon the northerly part of plot is located a Class 3 building, 48 ft. by 50 ft. in area, occupied as a motor vehicle repair shop; that abutting this building here is a one-story frame office, which is to be removed; that it is proposed to erect upon the plot a one-story, Class 3 building, 35 ft. 4 in. by 75 ft. in area and to interconnect this building with the existing motor vehicle repair shop and use both buildings as presently occupied; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, this application was the subject of a report of a committee of the Board, which report reads:

REPORT OF COMMITTEE.

September 18, 1942.

Re: Cal. No. 542-41-BZ.

Premises 936 Richmond Avenue, Graniteville, Port Richmond, Staten Island, Richmond.

This application is for a zoning variance to permit the erection of a one-story, Class III building, 35 ft. frontage by 75 ft. in depth, to be occupied as a storage garage in connection with the adjoining building under the same control by lease expiring in 1944.

The existing building on the adjoining lot, #36, is subject to a Certificate of Occupancy #3449, recently issued after a report from the Fire Commissioner as to the occupancy of the building. The plot is zoned for business use along the Richmond Avenue frontage and for residence use in the rear. The building itself is proposed to be located entirely within the business use zone. Occupancy as a garage and motor vehicle repair shop is clearly indicated as established from 1914 or even prior thereto. The former gasoline dispensing equipment has been removed and that use abandoned. The occupancy is now as a motor vehicle repair shop only and should not longer be classified as a garage. The proposed extension is for the storage of motor vehicles in connection with the existing repair shop, but the owner states there will be no gasoline storage system or motor vehicle repairing in the new building.

On this basis the Committee recommends that the application be granted under Section 7f for a term of ten years with the condition that the building is to be occupied as a non-storage garage only in conjunction with the adjoining motor vehicle repair shop under the same control, either by ownership or by lease. The building is proposed to be located 14 ft. from the building line of widened Richmond Avenue and to be with its rear yard within the business use district. The lot, however, extends for 23 ft. in the residence use district at the rear, but the residential area should not be permitted to be occupied as an open space in conjunction with the proposed non-conforming use.

It should also be a condition that the existing repair shop on Lot #36, in conjunction with which this proposed garage is to be operated, should not be extended in height or area; that the portion of the lot within the residence use area should not be occupied in conjunction therewith for open storage of motor vehicles or other necessary use and that the gasoline dispensing

system, now entirely removed by the street widening, should not be restored. The owner should be permitted to construct a new brick facade, harmonizing with that proposed for the proposed garage building.

The premises have been inspected by the Committee.

(Sgd.) HARRIS H. MURDOCK,
Chairman,

BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

FRANK MURPHY,
Deputy Fire Chief,
Committee.

and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision f, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7f thereof, for a term of ten (10) years, on condition that the building shall be maintained in accordance with the Report of Committee published herewith; that there shall be no door openings in the rear wall over 3 ft. in width and not over one (1) such door; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within one (1) year from the date of this action.

365-42-BZ.

APPLICANT—Arnold W. Lederer, for Isadore Cohen, owner (Joseph L. Hoffman, lessee).

SUBJECT—Application re (decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2826-2830 Nostrand avenue, west side, 128 ft. 6 in. south of Kings highway and 2910-2922 Kings highway (Block No. 7690, Lot No. 54), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Opposition: Leon S. Milmed and Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (365-42-BZ)

WHEREAS, Arnold W. Lederer, for Isadore Cohen, owner (Joseph L. Hoffman, lessee), filed May 5, 1942, an application under sections 7h and 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2826-2830 Nostrand avenue, west side, 128 ft. 8 in. south of Kings highway and 2902-2910 Kings highway (Block No. 7690, Lot No. 54), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 29, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Nostrand avenue is in a business use

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district; East 29th street is in a residence use district; Kings highway and Marine parkway are each in a residence and business use district; and

WHEREAS, the decision of the borough superintendent on B. N. Applic. No. 467-42, dated September 17, 1942, reads:

"Parking and storage of more than five motor vehicles, on a plot which is partly in a business use district and partly in a residential use district, is contrary to Art. II, §4(a), subd. 15 and Art. II, §3 of the zoning resolution."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 118 ft. on Kings highway, 57 ft. on Nostrand avenue and a distance of 180 ft. along the westerly lot line; that an irregular shaped area at the northwest corner of the plot is in a residence use district; that the remainder is in a business use district; that it is proposed to use the plot, for a term of two years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7-h of the zoning resolution; and

WHEREAS, the Board deemed that the applicant had failed to substantiate his basis of appeal under section 21 of the zoning resolution;

Resolved, that the decision of the borough superintendent, on B. N. Applic. No. 467-42, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

376-42-BZ.

APPLICANT—Edward Handelman, for Clinton Building Company, owner (Clinton Garage, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7-i of the zoning resolution, to permit partly in a business use district and partly in a residence use district, the conversion of occupancy of part of an existing building; said building is used in part as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—8-16 Clinton street, west side, 34 ft. 5 in. south of Fulton street (Block No. 238, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edward Handelman.

For Opposition: Sidney Naishtet.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (376-42-BZ)

WHEREAS, Edward Handelman, for Clinton Building Company, owner (Clinton Garage, Inc., lessee), filed May 7, 1942, an application under section 7i of the zoning resolution, to permit partly in a business use and partly in a residence use district, the conversion of occupancy of part of an existing building; said building is used in part as a garage for more than five (5) motor vehicles; premises: 8-16 Clinton street, west side, 34 ft. 5 in. south of Fulton street (Block No. 238, Lot No. 52), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 29, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Clinton street is in a business use district; Fulton street and Pierrepont street are each in a business and residence use district; Monroe place is in a residence use district; and

WHEREAS, the decision of the borough superintendent, on

B. N. 533-42, dated April 17, 1942 and as amended July 29, 1942, reads:

"1. Proposed repair shop in conjunction with existing public garage on premises located partly in a business zone and partly in a residential zone is contrary to Article II Sections 3 and 4 a (29) of the Zoning Resolutions."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 125 ft. and a depth of 121 ft. 3 in; that upon the northerly part of the plot there is a 5 story fireproof public garage, 100 ft. by 116 ft. 2 in. in area; that upon the southerly part of the plot there is a one and three story, non-fireproof building, 25 ft. by 121 ft. 2 in. in area—occupied as stores and offices; that, it is proposed to convert the occupancy of the 54 ft. deep rear (one story) portion of this building to a motor vehicle repair shop to be used in conjunction with the existing public garage; that the rear part of the public garage for a distance of approximately 5 ft. and also the rear portion of the 3 story building for a distance of approximately 10 ft., extends into a residence use district—the remainder of the buildings is in a business use district; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision i, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district, regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7i thereof, for a term of ten (10) years, to permit the portion of the premises at the rear of 16 Clinton street to be occupied for a repair shop substantially as proposed in conjunction with the adjoining garage to which it is connected, *on condition* that the garage shall not be further increased in height or area and shall comply in all other respects with the resolution adopted by the Board under Cal. No. 878-17-BZ; that the building at 16 Clinton street shall not be increased in height or area; that the doors from such proposed repair shop space to the main garage shall be approved fireproof doors, self-closing with fusible links; that the repairing to be carried on shall be only for such cars as are stored in the adjoining garage building and shall be done with hand tools only; that no open flames shall be maintained within this area; that the ceiling throughout shall be fire-retarded in accordance with the rules of the Board; that the skylights shall be glazed with thin glass with screens over and under; that there shall be no opening from the rear portion to the front portion and same shall be separated by a fireproof wall as existing; that no signs shall be placed on the front of the building advertising the motor vehicle repair shop; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that during the term of this permit, the space proposed to be occupied for a repair shop shall be occupied for no other use other than as herein permitted; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

442-42-BZ.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district the reconstruction and extension of an existing gasoline service station.

PREMISES AFFECTED—2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: George E. Strehan.

For Opposition: Ernest A. Migliaccio.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

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ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (442-42-BZ)

WHEREAS, Henry C. Brockman, for Gulf Oil Corporation, owner, filed May 28, 1942, an application under section 7c of the zoning resolution, to permit in a residence use district, the reconstruction and extension of an existing gasoline service station; premises: 2001-2011 Cropsey avenue, and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 29, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Cropsey avenue, 20th avenue, Bay 25th street are each in a residence use district; Bath avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent, dated April 29, 1942, on N. B. 49-42, reads:

"1. Proposed reconstruction of existing gasoline station and the extension in area on premises located in a residential zone is contrary to Article II, Section 3 of the zoning resolution."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 96.9 ft. on Cropsey avenue and 160 ft. on 20th avenue, occupied, in part and having a frontage of 50 ft. on Cropsey avenue and 50 ft. on 20th avenue, as a gasoline service station; that it is proposed to demolish the buildings now on the site and to erect thereon, a one story accessory building 58 ft. 2 in. by 28 ft. 8 in. in area to be used as sales office, lubritorium and auto laundry; that it is proposed also to extend the area of the gasoline station to an area having a frontage of 96 ft. 10 in. on Cropsey avenue and 105 ft. on 20th avenue; that the balance of the plot having a frontage of 55 ft. on 20th avenue will be landscaped and left vacant; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension and reconstruction of the existing gasoline service station substantially as shown on revised plans marked "Received September 18, 1942" including plot plan, floor plan and elevation, *on condition* that all existing buildings and structures shall be removed from the site and the accessory building shall be constructed and located substantially as shown; that such building shall be constructed of incombustible materials, except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood provided the ceiling throughout is fire-retarded in accordance with the rules of the Board and the roof is surfaced with approved weather-surfacing material; that the plot shall not exceed a total width of 96 ft. 10 in. along Cropsey avenue and a total depth along 20th avenue of 105 ft.; that on the rear and side lot lines, a brick masonry wall shall be constructed to a height of 6 ft.; that such wall may be reduced to a height of 4 ft. within 10 ft. of the street building lines; that the planting area shall be maintained with suitable planting where indicated and protected with a 6 in. concrete curb on a suitable foundation; that the balance of the plot where not covered by the accessory building, pumps and planting shall be paved with cement, colprovia or other suitable impervious paving; that the gasoline pumps shall be not nearer than 15 ft. to the street building lines at both streets; that the curb cuts shall not exceed two from Crop-

sey avenue, each not over 33 ft. in width and two from 20th avenue, each not over 35 ft. in width; that the surfacing of the sidewalk outside the building line shall be replaced with new materials and curb repaired; that the signs shall be restricted to a permanent sign attached to the facade of the accessory building and to the illuminated globes of the pumps excluding all roof signs and all temporary signs, but permitting the erection within the building line near the intersection of a post standard for supporting a sign which may be illuminated advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance of more than 4 ft.; that the premises shall be occupied for no other use than the proposed use as an automobile service station including the sale of gasoline, greasing and washing of motor vehicles; that no parking of cars shall be carried on other than those being serviced and no motor vehicle repairing shall be permitted; that no portable gasoline pumps shall be used on or in front of the premises; that the premises to the east, not included in the gasoline station as herein permitted but under the same ownership and control and with a frontage of 55 ft. on 20th avenue, shall be kept in a neat condition and shall be occupied in no way in connection with the gasoline service station until devoted to a conforming use and may be occupied as at present as a garden; that the accessory building shall be faced on the exterior with face brick unpainted; that the cornices and exterior trimming may be of wood; that the lot line wall shall harmonize in construction and material with the accessory building; that the heating room shall be separated from the balance of the building by fire-proof material and shall be enterable only from the exterior; that the greasing lift shall be of the hydraulic lift type; that the gasoline storage tanks shall not exceed four 1,000 gallon tanks as permitted by the Board under Cal. No. 708-42-A; that the pumps shall be of the parkway design and with masonry pedestals harmonizing with the masonry of the accessory building; that all permits shall be obtained and all work completed within one (1) year from the date of this resolution.

477-42-BZ.

APPLICANT—Paul Friedman, for Rose Rosenthal, Mollie Rosenthal, Mary Rosenthal and Paul Klindworth, owners (Harry Langbaum, d/b/a Cameo Motors, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles upon a plot used in part for the display and sale of used cars.

PREMISES AFFECTED—1287-1297 Coney Island avenue, east side, 320 ft. south of Avenue I (Block No. 6704, Lot Nos. 69 to 72, inclusive and part of Lot No. 73), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and Harry Langbaum.

For Opposition: Gaston Koch and Isidore Livinson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Deputy Chief Murphy 2

Negative: Chairman Murdock and Commissioner Blum 2

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Deputy Chief Murphy 2

Negative: Chairman Murdock and Commissioner Blum 2

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THE RESOLUTION (477-42-BZ)

WHEREAS, Paul Friedman, for Rose Rosenthal, Mollie Rosenthal, Mary Rosenthal and Paul Klindworth, owners (Harry Langbaum, d/b/a Cameo Motors), lessee, filed June 16, 1942, an application under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles, upon a plot used in part for the display and sale of used cars; premises 1287-1297 Coney Island avenue, east side, 320 ft. south of Avenue I (Block No. 6704, Lot Nos. 67 to 72, inclusive and part of Lot No. 73), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 29, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the decision of the borough superintendent on B. N. Applic. No. 1261-42, dated June 4, 1942, reads:

"Proposed parking and storage of more than five (5) cars in conjunction with an existing outdoor and display of used cars, within a business use district is contrary to Art. 2, Sect. 4a-15 of the zoning resolution."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 80 ft. on Coney Island avenue and a depth of 100 ft.; that it is proposed to use the plot for the display and sale of used cars and also, for a term of two years, for parking and storage of more than five motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7-h of the zoning resolution.

Resolved, that the decision of the borough superintendent on B. N. Applic. No. 1261-42, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

498-42-BZ.

APPLICANT—Sidney Rossman, for Ella Morris, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—733-739 McDonald avenue, east side, 160 ft. north of Ditmas avenue (Block No. 5385, Lot No. 62), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney Rossman, Sam Tommaso and Larry Meltzer.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (498-42-BZ)

WHEREAS, Sidney Rossman, for Ella Morris, owner, filed June 18, 1942, an application under section 7h of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 733-739 McDonald avenue, east side, 160 ft. north of Ditmas avenue (Block No. 5385, Lot No. 62), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 29, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that McDonald avenue is in a business use district; East Second street is in a residence and business use district; and Ditmas avenue is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent, on B. N. Applic. No. 975-42, dated June 2, 1942, reads:

"1. Proposed use of premises in a business use district for storage and parking of more than five motor vehicles is contrary to Art. II, Sec. 4a(15) zoning resolution."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 80 ft. and a depth of 125 ft.; that it is proposed to use the plot, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a zoning variance under section 7-h of the zoning resolution.

Resolved, that the Board of Standards and Appeals do hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-h thereof for a term expiring April 7, 1944, coincident with the termination of the use on the lot adjoining with which this lot is to be used, *on condition* that similar conditions shall be complied with as were required for the said adjoining lot under Cal. No. 1341-39-BZ in resolution adopted April 9, 1940, as extended to April 7, 1942, except that no additional buildings shall be erected on the site herein and no additional curb cut constructed; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

504-42-BZ.

APPLICANT—Lama and Proskauer, for Lenfred Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—42-46 (48-50 displayed) St. Pauls place, west side, 53 ft. 6½ in. north of Crooke avenue (Block No. 5058, Lot Nos. 40-42), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Harold O'Dougherty, Harold Abrams and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative:

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

THE RESOLUTION (504-42-BZ)

WHEREAS, Lama and Proskauer, for Lenfred Realty Corporation, owner, filed June 23, 1942, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 42-46 (48-50 displayed) St. Pauls place, west side, 53 ft. 6½ in. north of Crooke avenue (Block No. 5058, Lot Nos. 40-42), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 29, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

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WHEREAS, the use district maps accompanying the zoning resolution show that St. Pauls place, Crooke avenue and Woodruff avenue are all in a residence use district; and

WHEREAS, the decision of the borough superintendent on B. N. Applic. No. 1399-42, dated June 18, 1942, reads:

"1. The parking and storage of more than five motor vehicles in a residence use district is contrary to the zoning resolution, Section 3."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 72 ft. 9 in. and a maximum depth of 123 ft.; that it is proposed to use the plot, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, of the zoning resolution.

Resolved, that the decision of the borough superintendent on B. N. Applic. No. 1399-42, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

510-42-BZ.

APPLICANT—Lewis E. Amster, for Elizabeth Thornton, owner.

SUBJECT—Application (re decision of the acting borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—191-195 City Island avenue and 102-110 Winter street, southwest corner (Block No. 5626, Lot No. 360), Borough of The Bronx.

APPEARANCES—

For Applicant: Lewis E. Amster and Elizabeth Thornton.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (510-42-BZ)

WHEREAS, Lewis E. Amster, for Elizabeth Thornton, owner, filed on June 25, 1942, an application under section 7f of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 191-195 City Island avenue and 102-110 Winter street, southwest corner (Block No. 5626, Lot No. 360), City Island, Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting September 29, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that City Island avenue is in a business use district; and Winter and Early streets are in a residence and business use district; and

WHEREAS, the decision of the borough superintendent dated June 8, 1942, reads:

"Please be advised that your application for a certificate of occupancy for the parking and storage of more than five (5) motor vehicles at the above premises, is denied, as the premises are located in a business district, being contrary to Art. 2, Sec. 4 of the zoning resolution of the City of New York."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 65 ft. on City

Island avenue and 100 ft. on Winter street; that it is proposed to use the plot, for a term of two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles *on condition* that the lot shall be leveled and surfaced with clean gravel, steam cinders or other suitable material properly rolled and bound; that the existing fences shall be maintained surrounding the plot, except for one entrance as shown to Winter street, with curb cut not over 15 ft. in width; that no signs shall be displayed on the premises other than the sign at the entrance advertising the parking and storage use and rates charged; that during the term of the permit, the premises shall be occupied for no other use than the parking and storage herein permitted and no building shall be erected thereon; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

401-42-S.

APPLICANT—S. Walter Katz, for The Gerry Estates, Incorporated, owner (I. A. Management Corporation, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: S. Walter Katz and John Leonard.

For Opposition: M. Roth and A. C. Crane.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 14, 1942 at 10 A. M. for further consideration by the Board.

708-42-A.

APPLICANT—Henry C. Brockman, for Gulf Oil Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: George E. Strehan.

For Opposition: Ernest A. Migliaccio.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (708-42-A)

WHEREAS, Henry C. Brockman, for Gulf Oil Corporation, owner, filed September 28, 1942, an appeal from a decision

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of the borough superintendent, premises 2001-2011 Cropsey avenue and 8799-8815 20th avenue, northeast corner (Block No. 6442, Lot No. 52), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, re Misc. Applic. 3145-42, dated September 28, 1942, reads:

"1. Proposal to install six 1000 gallon gasoline tanks is contrary to Chapter 19.69.0 of the Adm. Code which limits same to 550 gals. Proposal therefore denied."

and

WHEREAS, the applicant states that the premises consist of a plot 96 ft. 10 $\frac{3}{8}$ in. by 160 ft. in area located in a residence use district; occupied since 1917 as a gasoline station and proposed to be reconstructed pursuant to application filed with the Board under the zoning resolution, Cal. No. 442-42-BZ; and

WHEREAS, it is proposed to install six 1,000 gallon underground gasoline storage tanks; and

WHEREAS, the applicant contends that to provide the necessary storage capacity in compliance with the Administrative Code, it would be necessary to install twelve 550 gallon tanks, which would involve an intricate and involved manifold system, inasmuch as only three dual pumps will be used; that the proposed six tanks of 1,000 gallons each will each be enclosed in 12 in. concrete with 8 in. reinforced concrete slab over and all provisions of the Administrative Code for the installation of gasoline tanks of 550 gallon capacity will be complied with and the construction of the tanks will comply with the Oil Burner Rules of the Board of Standards and Appeals; that the present tank installation will be discontinued upon the completion of the proposed installation.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 3145-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the four gasoline storage tanks shall comply with all laws, rules and regulations applicable thereto; that the thickness of the steel shall conform to that permitted for tanks of similar capacity under the Oil Burner Rules of the Board; that the requirements of the resolution adopted under Cal. No. 442-42-BZ shall be complied with in all respects.

Adjourned: 1:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 29, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

203-28-BZ.

APPLICANT—Seymour Mork and Henry Nordheim, for Fan Ri Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar (previously dismissed for lack of prosecution) re amendment of resolution—re Application (decision of the acting borough superintendent) previously granted on condition, under section 21 of the zoning resolution, permitting in a residence use district, the maintenance of an illuminated electric sign on a store located in a multiple dwelling (the said store was previously granted by the Board).

PREMISES AFFECTED—1801 University avenue and 165 West Tremont avenue, northwest corner (Block No. 2879, Lot No. 100), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

320-37-BZ.

APPLICANT—R. G. and W. M. Cory, for Bronxville Realty Corporation, owner (Liberty Lace and Netting Works, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7a of the zoning resolution, permitting in a residence use district, the extension of an existing factory building (previously acted upon by the Board).

PREMISES AFFECTED—901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Block No. 4864, Lot No. 35); (Building No. 2), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter M. Cory.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (320-37-BZ)

WHEREAS, this application affecting premises 901 East 228th street, east side of Bronxwood avenue between East 228th street and East 229th street (Building No. 2); (Block No. 4864, part of Lot No. 35), Borough of The Bronx, was granted by the Board October 19, 1937 on certain conditions, time extended October 4, 1938, October 10, 1939, September 10, 1940 and September 23, 1941, and applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 19, 1937, as amended through September 23, 1941, only so far as it refers to the time within which to complete work, so that as amended, that portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one year from the date of this *amended resolution*."

456-37-BZ.

APPLICANT—Fannie Gise, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4866 Broadway, east side, 125 ft. south of West 204th street (Block No. 2234, Lot Nos. 14 and 15), Borough of Manhattan.

APPEARANCES—

For Applicant: J. I. Gise.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (456-37-BZ)

WHEREAS, Wallace F. McLendon, for Fannie Gise, owner, filed September 23, 1937, an application under section 7h of

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the zoning resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4866 Broadway, east side, 125 ft. south of West 204th street (Block No. 2234, Lot Nos. 14 and 15), Borough of Manhattan; and

WHEREAS, this application was granted by the Board October 25, 1938, on certain conditions, permit extended October 8, 1940, and the owner requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 25, 1938, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"*granted*, under section 7h thereof, for a temporary term of two (2) years from the date of this *amended resolution*."

71-39-BZ.

APPLICANT—Socony-Vacuum Oil Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the extension of an existing gasoline service station (previously granted by the Board; Board's decision reversed by Court without prejudice to taking further proceedings before the Board).

PREMISES AFFECTED—96-23 to 96-29 Queens boulevard, and 95-02 to 95-14 63rd road, northeast corner (Block No. 2088, Lot No. 22), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Bernard J. Thole.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (271-39-BZ)

WHEREAS, this application, to permit in a business use district under sections 7c and 21 of the zoning resolution, the extension of an existing gasoline station; premises: 96-23 to 96-29 Queens boulevard and 95-02 to 95-14 63rd road, northeast corner (Block No. 2088, Lot No. 22) Elmhurst, Borough of Queens, was granted by the Board, July 8, 1939, on certain conditions; the decision of the Board reversed by the court, without prejudice to taking further proceedings before the Board; and

WHEREAS, Albert C. Benson, Socony-Vacuum Oil Company, Inc., owner, requested reopening of the application under section 7c of the zoning resolution as recommended by the order of the court; and

WHEREAS, this application was reopened by vote of the Board and granted on certain conditions, under Section 7c of the zoning resolution, on January 7, 1941; and

WHEREAS, the applicant requested an extension of time in which to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 7, 1941, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this *amended resolution*."

70-40-BZ.

APPLICANT—William Cohn, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the

acting borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in a business use and partly in a residence use district, the extension of an existing gasoline service station and, also, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Jos. J. Weinblatt and Milton L. Cohen.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (470-40-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, to permit partly in a business use and partly in a residence use district the extension of an existing gasoline service station, and also the parking and storage of more than five (5) motor vehicles, premises 4070-4076 Broadway, southeast corner of West 172nd street (Block No. 2141, Lot Nos. 17 to 20 inclusive), Borough of Manhattan, was granted by the Board November 13, 1940, on certain conditions, time extended October 7, 1941, and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 13, 1940 only so far as it has reference to obtaining permits and completion of the work so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within one (1) year from the date of this *amended resolution*."

1033-41-BZ.

APPLICANT—Max Horn, for Long Island Railroad Company, owner (Anthony Luerksen, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) under section 7c of the zoning resolution, permitting for a term of five (5) years, partly in a business use and partly in an unrestricted use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—268 Beach 116th street, east side, 250 ft. south of Beach Channel drive (Block No. 598, Lot No. 100), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1033-41-BZ)

WHEREAS, Max Horn, for Long Island Railroad, owner (Anthony Luerksen, lessee), filed on November 27, 1941, an application under section 7h of the zoning resolution, to permit in a business use and partly in an unrestricted use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 268 Beach 116th street, east side, 250 ft. south of Beach Channel drive (Block No. 598, Lot No. 100), Rockaway Beach, Borough of Queens; and

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WHEREAS, this application was granted by the Board on May 26, 1942, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 26, 1942 only in so far as it has reference to obtaining permits and completion of the work so that as amended this portion of the resolution shall read:

"all permits required shall be obtained and all work completed within three (3) months from the date of this *amended* resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

439-42-A.

APPLICANT—15-17 West 84th Street, Incorporated, owner (Herman Mermelstein, lessee).
SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—15 West 84th street, north side, 220 ft. west of Central Park West (Block No. 1198, Lot No. 23); (1st floor west—front room), Borough of Manhattan.

APPEARANCES—

For Applicant: Albert Ornstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 6, 1942 at 2 P. M. for consideration by the Board.

561-42-A.

APPLICANT—Anthony J. Yaconetti, for Jennie Pica, adjoining property owner.

OWNER OF PREMISES—Margaret Hoffman.

SUBJECT—Appeal from a decision of the borough superintendent re Revocation of Alt. Applic. No. 367-42.

PREMISES AFFECTED—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

APPEARANCES—For Applicant: Anthony J. Yaconetti.
For Applicant: Anthony J. Yaconetti.

For Owner: E. J. Stark, Ralph Scocozza, Joseph Hoffman and Ralph Bochino.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over for further consideration by the Board. No further argument.

679-42-A.

APPLICANT—Joe Salwen Paper Company (lessee), for Betsey Ann Fay Estate, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—405 East 4th street, north side, 200 ft. west of East River drive (Block No. 359, part of Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Reuben Salwen, E. E. Magnuson and Solomon Eisenberg.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to October 6, 1942 at 2 P. M., pending an inspection by a committee of the Board.

622-42-A.

APPLICANT—Walter G. Legge Company, Incorporated, for Bush Terminal Buildings Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—635-639 Second avenue, northeast corner of 37th street (Block No. 695, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Walter G. Legge.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (622-42-A)

WHEREAS, Walter G. Legge Company, Inc. for Bush Terminal Buildings Company, owner, filed on August 14, 1942 an appeal from an order of the fire commissioner affecting premises 635-639 Second avenue, northeast corner of 37th street (Block No. 695, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, Order No. 92503-LC, dated July 14, 1942, reads:

"With reference to application dated May 23, 1942 for a permit to store Pine Oil, Rosin, Caruin Wax, and other materials to be used in the manufacture of soap please be advised that the Fire Department is without power to issue such a permit for the reason that: recent inspection of the premises shows same is occupied as a tenant factory. This is a violation of Section C-19-130.3 of the Administrative Code which reads as follows:

'No permit shall be issued for the storage of oils, fats, greases or soap stock in any building or premises which is occupied as a work shop, or factory except when such work shop or factory is incident to the business of the applicant.'

1. You are, therefore, ordered to remove all oil soap stock from the premises and to discontinue the manufacture of soap stock on the premises."

and

WHEREAS, the applicant states the building is six stories (86 ft.) in height; 75 ft. by 599 ft. area; of Class 1 construction; erected 1905; located in an unrestricted use district; and used as follows: Cellar, storage of olives, 1 persons; first floor, factory, 70 persons; second floor, storage and factory, 35 persons; third floor, storage of olives and cherries, 100 persons; fourth, fifth and sixth floor assembly of machinery and electrical apparatus, 100 persons each floor; and

WHEREAS, the applicant occupies a small portion of the first floor of west section of building No. 1, Bush Terminal, as shown on diagram filed with this appeal; that the materials stored and used by the applicant consist of two to five drums of Pine Oil, having a flash point of 188° F. used in the manufacture of a solvent and penetrant for preparation work; two to five drums of Oxalic Acid, having a flash point of 440° F., used in conjunction with the Pine Oil; one drum of Morpholine, having a flash point of 100° F., used as emulsifier; one drum Savasol #5, used as thinner; one drum of Triethanolamine, having a flash point of 380° F., used as emulsifier; 600 lbs. of Carnuba Wax having a flash point of 590° F., used in the manufacture of non-slip materials; two drums of Rosin, having a flash point of 575° F., used in the manufacture of non-slip materials; and two drums of Caustic Soda, used as an emulsifier that all of these materials are stored in a room of fireproof construction, equipped with a sprinkler system, and separated from the balance of the building with fireproof constructed partitions, equipped with class A Underwriter's doors; and

WHEREAS, the applicant contends that the products manufactured are extensively used by the Army and Navy in various industrial plants to eliminate slip hazards for the conservation of man power, which is important in War Production work, and that orders for the Government are being fulfilled under preference ratings of A-1-A and 1-J.

Resolved, that the order of the fire commissioner, No. 92503-LC be and it hereby is *modified* and that the applicant be and it hereby is *granted on condition* that the portion

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the first floor occupied by the applicant shall be separated from the balance of the first floor by walls of approved masonry from floor to ceiling with no openings therein; that the source of heat used in the emulsifying manufacturing process shall be steam furnished by the owner of the building; that there shall be no open flames maintained within the space; and, *granted* only so long as the conditions as set forth are maintained to the satisfaction of the fire commissioner; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

652-42-A.

APPLICANT—Samuel Rosenblum, for United States Trust Company, as trustee u/w of Charles J. Richter, deceased, owner.

SUBJECT—Appeal from orders and decisions of the fire commissioner.

PREMISES AFFECTED—315-317 West 47th street, north side, 200 ft. west of Eighth avenue and 318-320 West 48th street (Block No. 1038, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (652-42-A)

WHEREAS, Samuel Rosenblum, for United States Trust Company as trustee u/w of Charles J. Richter, deceased, owner, filed August 31, 1942, an appeal from orders and decisions of the fire commissioner, affecting premises 315-317 West 47th street north side, 200 ft. west of Eighth avenue, and 318-320 West 48th street (Block No. 1038, Lot No. 23), Borough of Manhattan; and

WHEREAS, Order No. 12496-LF, issued by the fire commissioner November 5, 1941, affecting 315 to 317 W. 47th street, reads:

"3. Repair or replace missing or defective shutters at all openings in the exterior wall which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane, etc. at rear north side of building."

and

WHEREAS, the decision of the fire commissioner, dated August 20, 1942, reads:

"In reply to your request to omit compliance with Item 3 of Order 12496-LF, requiring the fire shutters on the rear of building to be replaced and repaired, you are advised as follows:

The window openings in question are exposed to fire from the adjoining building and your request must be denied."

and

WHEREAS, Order No. 12497-LF, issued by the fire commissioner November 5, 1941, affecting 318 to 320 W. 48th street, reads:

"3. Repair or replace missing or defective shutters at all openings in the exterior wall which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane, etc., at rear south side of building or any other approved protection."

and

WHEREAS, the decision of the fire commissioner, dated August 20, 1942, reads:

"In reply to your request to omit compliance with Item 3 of Order No. 12497-LF requiring the fire shutters on south side of building to be replaced and repaired, you are advised as follows: The window openings in question are exposed to fire from an adjoining building and your request must be denied."

and

WHEREAS, the applicant states that the premises consist of a plot fronting 50 ft. on West 47th street running through to West 48th street, with a total depth of 200 ft. 10 in.; located in a business use "B" area district; upon which there exists two Class 3 buildings, five stories (55 ft. 8 in.) in height; equipped with a sprinkler system, and erected in 1882 and 1902; that the building known as 315 to 317 West 47th street, is occupied: Cellar, storage; first floor, scenery studios, 5 persons; second floor, fountain repairs, 5 persons; third floor, electric equipment assembly, 3 persons; fourth floor, same, 2 persons; fifth floor, scientific antiques, 1 person; that building known as 318 to 320 West 48th street, is occupied: Cellar, storage; first floor, stores, theatrical studios, 5 persons; second floor, scenic studios, 5 persons; third floor, manufacture of lighting equipment, 5 persons; fourth floor, repair of grates, 5 persons; fifth floor, manufacture of lighting equipment, 5 persons; and

WHEREAS, the applicant contends that both buildings are under single ownership and are connected by horizontal bridges; that the space between the buildings is 22 ft.; that both buildings are served with one heating unit and a sprinkler system having a gravity tank of 12,000 gallons and a pressure tank of 9,000 gallons; that the occupancy is low; that sprinkler heads are so situated, that each window has a sprinkler head from 18 in. to 4 ft. away, so that from a fire protection standpoint the sprinklers serve as far better protection than shutters; that it is difficult to obtain metal for shutters at the present time; that all the windows in the rear wall of the 47th street building have shutters which are repaired and painted and are substantially in good condition, but may have small defects; that one small window to the west of the 48th street building, causing an exposure to adjoining building, is of fireproof construction and the bridge connecting the buildings in question, practically screens this window, thus affording the protection intended by the Code; and that the bridge connecting the two buildings is of fireproof construction.

Resolved, that the order of the fire commissioner, Order No. 12497-LF affecting premises 318-320 West 48th street, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sprinkler heads shall be maintained adjacent to the windows on all stories as proposed and that the shutters shall be maintained on the windows opposite on the 47th street building to the satisfaction of the fire commissioner and in compliance with Order No. 12496-LF; that the sprinkler system throughout both buildings shall be maintained to the satisfaction of the fire commissioner with central station connection; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto including the requirements of the resolution adopted by the Board October 22, 1918 under Cal. No. 2174-17-S and the bridge between the buildings shall be maintained as therein set forth.

654-42-A.

APPLICANT—John C. Wandell, for Jamco Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—150-156 50th street, south side, and 149-155 51st street north side, 293 ft. 3 in. west of 2nd avenue (Block No. 788, part of Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: John E. Wandell and G. E. Larson.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (654-42-A)

WHEREAS, John C. Wandell, for Jamco Realty Corp., owner, filed on September 2, 1942 an appeal from a decision

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of the borough superintendent affecting premises: 150-156 50th street, south side, and 149-155 51st street, north side, 293 ft. 3 in. west of Second avenue (Block No. 788, part of Lot No. 25), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated August 31, 1942 on Alt. Applic. No. 2476-42 reads:

"2. Application contrary to Sec. 2.1.3.5 insofar as the construction of intermediate floor areas within an existing one story metal structure does not conform to height limitations of Sec. 4.2.1.

3. Comply with Sec. 6.4.1.11 as to connecting passageway between the two stairways at top floor."

and

WHEREAS, the applicant states that the building is 1 story (44 ft. 9 in.) in height, 67 ft. 5 in. by 200 ft. 4 in. in area, of class 5 construction, equipped with an approved sprinkler system, erected in 1920, located in an unrestricted use district and occupied since 1936 for the storage of sash, doors and trim—10 persons; and

WHEREAS, it is proposed to erect additional floors within the building and to occupy the building as follows: 1st floor storage of sash, doors and trim—10 persons; 2nd floor—storage of sash, doors and trim—10 persons; and

WHEREAS, the applicant contends that the owner contemplates increase in the floor space without altering the present structure; that there is no vacant space adjacent to the premises which can be obtained in which to expand; that the additional space is necessary in order to supply government sponsored operations which constitute more than 85% of the business of the occupant; that at the proposed 2nd floor level, stairways enclosed, as required by the Building Code, will be provided leading directly to the street; these stairways will be located 132 ft. apart so that at no time will any persons be more than 80 ft. from an exit stairway on the upper floors; that the proposed new portions will be equipped with sprinklers; that the height of the building from floor level to bottom of roof truss is 35 ft. 6 in. of which 20 ft. is available for use at the present time.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 2476-42, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the floor area shall be constructed substantially as proposed; that the building shall not be increased in height or area; that the present sprinkler header in the dry-valve room shall be extended to include a 6-inch supply line and dry valve to protect the underside of the proposed intermediate story and the side sprinkler heads shall be arranged to form a water curtain on both sides; that the present sprinkler alarm systems, both local and central office, shall be extended to include the new sprinklered area and the entire system shall be properly maintained; that an adequate amount of portable fire appliances shall be installed and maintained throughout the entire premises as indicated on plans marked received Sept. 28, 1942 as the fire commissioner shall require; that adequate aisle spaces shall be maintained throughout the entire premises at all times; that curtain boards shall be installed so as to divide the entire area into areas controlled by dry pipe valves; that such boards shall be constructed of incombustible materials and extend down from the roof for a distance of not less than five feet; that plans showing the proposed sprinkler system under the floor as proposed and curtain boards in compliance with the requirements of this resolution shall be submitted for approval by the Board before submission to the borough superintendent; that all combustible rubbish shall be removed from the premises daily; that the work on the intermediate floor shall not be commenced until all the material including the sprinkler equipment is available, so as to assure the requirements of this resolution being fully complied with; as to Objection No. 3, permitting elimination of a connecting passageway between the two stairways at top floor, provided stairways are located as shown and are lawfully enclosed; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

699-42-S.

APPLICANT—Rochester Ropes, Incorporated (lessee), for 91-30 Van Wyck Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—91-30 Van Wyck boulevard, west side, 150 ft. south of 91st avenue (Block No. 9375, Lot No. 176), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Edwd. Heffernan.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (699-42-S)

WHEREAS, Rochester Ropes, Inc. (lessee), for 91-30 Van Wyck Corporation, owner, filed on September 24, 1942, an application for variation of the requirements of the Labor Law, affecting premises 91-30 Van Wyck boulevard, west side, 150 ft. south of 91st avenue (Block No. 9375, Lot No. 176), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated August 31, 1942, on Misc. Applic. No. 3531-42, reads:

"1. No window or other opening in any floor shall be obstructed by stationary metal bars, grating or wire mesh, such metal bars, grating or wire mesh must be so constructed as to be readily movable or removable from both sides and screens and doors left unlocked during working hours. §172-3 of the State Labor Law."

and

WHEREAS, the applicant states that the building is two stories in height, 60 ft. by 240 ft. in area, of Class 3 construction; erected about 1900, located in an unrestricted use district and occupied: Cellar, storage, boiler and generator room, no persons; first floor, manufacturing wire rope, 30 persons; second floor, offices, 15 persons; that the building is equipped with a sprinkler system, three interior stairs, 3 ft. 6 in. wide, of steel and concrete, enclosed in hollow tile and concrete, equipped with fireproof doors and one exterior stairs, which leads to roof by ladder and to grade by stationary iron stairs with egress to street through unobstructed yard; that there are no doors or windows on the course of the fire escape; and

WHEREAS, the applicant proposes to equip all windows on the first story with wire mesh screens and to install panic bolts on two of the exit doors and to keep two exit doors locked, as shown on diagram, filed with this application, marked "Received September 24, 1942"; and

WHEREAS, the applicant has filed a copy of an Order of recommendation from the War Department, Air Corps, Materiel Division, recommending the installations of the screens and the panic bolts; and

WHEREAS, the applicant contends that the screens will be installed, as shown on detail filed with this application, except that the windows are not uniform in size and modifications will be made as necessitated by various window sizes and

WHEREAS, the applicant contends the installation of the screens and panic bolts is necessary, in order to comply with the War Department instructions to prevent sabotage, as the building is used in War Production work and the reason for the locking of the doors, as shown on plan filed is that these doors are of the sliding type and cannot be equipped with panic bolts; that there are sufficient exits to accommodate the number of occupants, exclusive of these locked doors, in the event of emergency.

Resolved, that the Board of Standards and Appeals do hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Misc. Applic. No. 3531-42, Obj. No. 1, and that the application be and it hereby is *granted on condition* that all windows proposed to be screened, shall be of the factor

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type as indicated, with pivoted sash; that all existing doors shall be maintained as herein provided; that panic bolts may be installed on the door leading to hallway to Van Wyck boulevard and toward the center of the building to the side yard, as indicated on plans filed with this application marked "Received September 24, 1942"; that such doors may be locked from the inside where indicated, provided signal devices consisting of a push button bell are maintained on the exterior; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the variation herein granted as to panic bolts and locked doors, shall continue only during the term of the present emergency.

827-41-A.

APPLICANT—Sid Livingston, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner (previously granted on condition re Appeal from an order and a decision of the fire commissioner).

PREMISES AFFECTED—64 Sixth avenue and 7-9 Thompson street, northeast corner (Block No. 227, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Sid Livingston.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (827-41-A)

WHEREAS, Sid Livingston, owner, filed on September 26, 1941, an appeal from an order and decision of the fire commissioner; premises 64 Sixth avenue and 7-9 Thompson street, northeast corner (Block No. 227, Lot No. 33), Borough of Manhattan; and

WHEREAS, this appeal was granted by the Board on December 2, 1941, on certain conditions and applicant requested an amendment of the resolution, due to the issuance by the fire commissioner of Order No. 31571-LC; and

WHEREAS, Order No. 31571-LC, issued by the fire commissioner July 7, 1942, reads:

"2. Remove all unapproved electric light fixtures within 10 ft. of spraying area, or replace same with approved fixtures of the rigid stem type equipped with keyless sockets and guarded vaporproof globes. Rule 4.5.2.

3. Relocate all unapproved electric motors, switches and battery charging apparatus, to a point more than 10 ft. from spraying area or replace same with equipment approved for use in explosive atmospheres. Rule 4.4.

4. Remove all portable cord wiring, portable cord extension and pin plug receptacles within 10 ft. of spraying area. Rule 4.5.3. and 4.5.5."

and

WHEREAS, the applicant contends the conditions of the Board's resolution has been complied with and the mechanical and natural ventilation required by such conditions is sufficient to prevent the concentration of fumes to a hazardous degree; that the electric light fixtures referred to are fluorescent fixtures at ceiling, and present no hazard to spray fumes, which usually collect at floor level but which are exhausted by the duct required by the Board; that the electric motor referred to is a 3 phase AC motor which is not hazardous, but it is proposed to install a metal housing or enclosure around same as additional protection; that the switches and receptacles are necessary for the connection of drop lights and motor driven (small) tools used in the repair of motor vehicles, which is primarily the business conducted on the premises; and that there is no battery charging apparatus in the building.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of December 2, 1941 by adding thereto:

"that the order of the fire commissioner, Order No. 31571-LC, Obj. 2, 3 and 4 is hereby modified and *granted on condition* that the provisions of this resolution shall be complied with and that metal housing satisfactory to the fire commissioner shall be furnished and maintained as additional protection around the electric motor; that the other electrical equipment shall be maintained to the satisfaction of the fire commissioner."

124-42-A.

APPLICANT—F. P. Platt and Bro., for Franklin Savings Bank, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—814-838 Westchester avenue and 793-809 Prospect avenue, southwest corner (Block No. 2676, Lot No. 49), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick P. Platt.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (124-42-A)

WHEREAS, this appeal from a decision of the borough superintendent, affecting premises 814-38 Westchester avenue and 793-809 Prospect avenue, southwest corner (Block No. 2676, Lot No. 49), Borough of The Bronx, was withdrawn March 10, 1942; and

WHEREAS, the applicant requested reopening of the appeal and consideration by the Board, and this appeal was reopened by vote of the Board and granted on certain conditions on May 19, 1942; and

WHEREAS, the applicant requested an amendment of the resolution, due to the issuance by the borough superintendent of a decision on Alt. Applic. No. 182-42; and

WHEREAS, the decision of the borough superintendent, dated August 24, 1942, on Alt. Applic. No. 182-42, reads:

"16. Building of area indicated used in part as a church is required to be fireproof by Sec. 4.2.1. Under the provision of Sec. 3.1.5 calling for requirements securing the greater safety, such church occupancy in premises of non-fireproof construction proposed to be occupied as stores, storage, factory, residence and church has not been approved."

and

WHEREAS, the applicant contends that the proposed church occupancy creates no additional hazard, since it will occupy an area of only 2256 sq. ft. and have an occupancy of 45 persons or one person for each 50 sq. ft.; that non-fireproof churches are permitted up to 5,000 sq. ft. and the number of occupants up to one for every 10 sq. ft.; that the proposed occupancy is therefore without danger either to the building or to the church, and the church occupancy being in the evenings and on Sundays only, embraces the periods when the balance of the building will not be in use; that store rentals in this neighborhood are difficult and unless this appeal is granted, the owner will suffer an unnecessary hardship; and

WHEREAS, plans filed with the borough superintendent August 13, 1942, under amendment to Alt. Applic. No. 182-42, indicate the proposed church occupancy to be 38 ft. by 56 ft. in area, to be located on first story, Prospect avenue front of the building in the portion designated by house number 797 to 799.

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Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 19, 1942 by adding thereto:

"and modified as to Obj. No. 16 of the decision of August 24, 1942, amendment and revised plans filed August 13, 1942, in connection with the proposed occupancy of the space facing Westchester avenue on the first floor, 38 ft. by 56 ft., as a church, and *granted* on condition that the floor shall be constructed for a live-load of 120 pounds per superficial foot; that in all other respects, the occupancy shall comply with all laws, rules and regulations applicable thereto other than as herein permitted as to non-fireproof construction."

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

142-38-SA.

APPLICANT—Red Comet, Incorporated, owner; C. E. Rauch, agent.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Red Comet Automatic and Manuel Fire Fighting Equipment, approval of (previously withdrawn re Red Comet Automatic Fire Extinguisher).

APPEARANCES—

For Applicant: C. E. Rauch.

ACTION OF BOARD—Application reopened, restored to calendar and referred to the Committee on Tests.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

372-42-SA.

APPLICANT—National Cantonment Amusement Service, Incorporated, owner.

SUBJECT—Application for consideration—reopening and rehearing—re "Fire Smother" (Rock Powder Fire Extinguisher); (previously disapproved).

APPEARANCES—

For Applicant: Stanley Wolder.

ACTION OF BOARD—Request to reopen withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

729-40-SM.

APPLICANT—Hobart Brothers Company, owner.

SUBJECT—Hobart Welding electrodes, No. 55, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (729-40-SM)

WHEREAS, Hobart Bros. Co., owner, filed on July 2, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Hobart Welding Electrodes, No. 55; and

WHEREAS, the applicant has failed to arrange for an inspection and test of this material, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

1077-39-SM.

APPLICANT—Simplex Boiler Stand Company, Incorporated, owner.

SUBJECT—Simplex Felt Grease Treated W. C. Gaskets, approval of.

APPEARANCES—

For Applicant: Jacob Wanneschmidt.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1077-39-SM)

WHEREAS, the Simplex Boiler Stand Co. Inc., owner, filed on August 28, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Simplex Felt Grease Treated W. C. Gaskets; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 14, 1942.

Cal. No. 1077-39-SM.

Subject: Simplex Felt Grease Treated, W. C. Gaskets, approval of.

The Simplex Boiler Stand Company, Incorporated, of Brooklyn, New York, filed on August 28, 1939, an application with the Board of Standards and Appeals for approval of the Simplex Felt Grease Treated W. C. Gaskets under the provisions of C26-1250.0 (14.4.9), Administrative Building Code.

This gasket is made of soft wool felt impregnated with high melting point petrolatum (114° F.) to prevent stain on floor slabs and plastic enough at low temperature to prevent cracking. This gasket is placed in the recessed flange of a water closet. The weight of the fixture and the pressure of the bolts holding the fixture compresses the gasket approximately 1/3 and seals the joint completely.

The gasket was examined by and tested by the Committee on Tests of the Board and found satisfactory. There was no evidence that uric acid had any effect on the gasket. This gasket and one similar to it have been used for many years in New York City.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends that the Simplex Felt Grease Treated W. C. Gasket be approved for use in New York City as complying with the pertinent provisions of Section C26-1250.0 (14.4.9), Administrative Building Code, provided that each package containing a gasket or gaskets shall have a label or tag reading: "Approved by the Board of Standards and Appeals for use in New York City with any approved water closet flange under Cal. No. 1077-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Simplex Felt

MINUTES

Re: Case Treated W. C. Gaskets, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

1-41-SM.

APPLICANT—Adolph G. Kraus (agent), for Kaustine Company, Incorporated, owner.

SUBJECT—Kaustine 275 Gallon Obround Fuel Oil Tank, approval of.

APPEARANCES—

For Applicant: Adolph G. Kraus.

ACTION OF BOARD—Material approved, in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (981-41-SM)

WHEREAS, Adolph G. Kraus, for Kaustine Company, Incorporated, owner, filed on November 13, 1941, an application with the Board of Standards and Appeals for approval of the material known as the Kaustine 275 Gallon Obround Fuel Oil Tank; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 14, 1942.

Re: Cal. No. 981-41-SM.

Subject: Kaustine 275 Gallon Obround Fuel Oil Tank, approval of.

The Kaustine Company, Inc. of Perry, N. Y. filed on November 13, 1941 with the Board of Standards and Appeals an application under the requirements of Sec. C26-178.Ob of the Administrative Code, for the approval of its material known as the Kaustine 275 Gallon Obround Fuel Oil Tank for use in New York City under the provisions of the Oil Burner Rules of the Board of Standards and Appeals.

These tanks are made with long diameter either vertical or horizontal, in sizes 26 in. by 42 in. by 63 in. and 22 in. by 44 in. by 72 in., of #10 U. S. gauge steel; shells are made of one piece, lapped $\frac{1}{2}$ in. and electric-welded; dished heads are formed with cylindrical extension rims $1\frac{1}{8}$ in. wide to provide a welding surface; flanges, head seams and pipe connections are electric arc welded; the tanks are provided with standard pressed steel pipe support lugs. All welding is single pass fillet type.

A sample vertical tank was subjected to a pressure test in a vertical position at the plant of the Alpha Tank Company, Glendale, L. I. (N. Y. agents of the applicant) in the presence of representatives of the Board, the Fire Department and the applicant and successfully met the requirements of Rule 10.3.1 of the Oil Burner Rules. Details of construction, workmanship and protection of steel were found to comply with the Rules of the Board.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends that the Kaustine 275 Gallon Obround Fuel Oil Tank be approved for use in fuel oil installations in New York City, when constructed in accordance with the details of this report and the drawings filed with the application, but nothing herein shall be deemed to waive any requirement of the Oil Burner Rules of the Board as amended July 1, 1941. It is further recommended that all welding conform to the Fusion Welding and Gas Cutting Rules of the Board and that the permanently affixed plate required by Rule 5.3.2 of the Oil Burner Rules have in addition to the wording therein required the following: "Ap-

proved by the Board of Standards and Appeals under Cal. No. 981-41-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Kaustine 275 Gallon Obround Fuel Oil Tank, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

114-42-SM.

APPLICANT—Adolph G. Kraus, for L. O. Koven and Brother, Incorporated, owner.

SUBJECT—Koven, N. Y. C. Oil Separator, approval of.

APPEARANCES—

For Applicant: Adolph G. Kraus.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (114-42-SM)

WHEREAS, Adolph G. Kraus, for L. O. Koven & Brother, Incorporated, filed on February 9, 1942, an application with the Board of Standards and Appeals for approval of the material known as the Koven N. Y. C. Oil Separator; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 14, 1942.

Re: Cal. No. 114-42-SM.

Subject: Koven N. Y. C. Oil Separator, approval of.

L. O. Koven & Brother, Inc. of Jersey City, N. J., filed on February 9, 1942, an application with the Board of Standards and Appeals for approval of the Koven N. Y. C. Oil Separator under the provisions of C26-1296.0 (14.9.15), Administrative Building Code.

This oil separator consists of a cylinder of 14 gauge steel, 26 inches inside diameter and 36 inches in height with a $\frac{3}{16}$ inch thick bottom plate and a 12 gauge steel cover with a $\frac{1}{2}$ inch diameter round iron handle. The cover is bolted to the cylinder with $1\frac{3}{8}$ " by $1\frac{1}{4}$ " hex. head bolts and meets a 2 inch welded spud is provided for the vent to roof at top of cylinder and a #12 gauge steel $5\frac{1}{2}$ " I. D. connection, the center line of which is 6 inches from bottom of cylinder for the sewer outlet. The inlet from drain is $5\frac{1}{2}$ " I. D. of #12 gauge steel, the center line of which is located 9" below top of cover. All welding shall conform with the Board's rules.

The separator is installed so that the bottom of the inlet pipe is at the level of the pipe that discharges the water into the sewer. The inlet water is allowed to pass into the separator through a baffle plate that prevents mixing the oil film with the water; the outlet from the separator is at the very bottom so that no oil will pass through it as new water from the drains passes into the separator. The oil that floats on top is drained off through a tapping at the sewer link into a separate container for disposal. There is a handhole cleanout provided at the bottom of the separator.

MINUTES

This appliance was inspected and tested at the plant of the Koven Company, Jersey City, N. J. on June 18, 1942 and samples of the effluent submitted to the Central Testing Laboratory for a report in the presence of volatile inflammable oil. The report stated that no volatile inflammable oil was found.

Recommendations.

On the basis of this inspection and test, the Committee on Tests recommends that the Koven N. Y. C. Oil Separator be approved for use in New York City provided the side outlet to draw off oil be discontinued or that it be connected to a tank of at least 275 gallons capacity constructed in accordance with the requirements of the Oil Burner Rules of the Board of Standards and Appeals or equipped with a telltale device (until such time as the Board adopts rules covering such equipment) and that the appliance have a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 114-42-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Koven N. Y. C. Oil Separator, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

417-42-SM.

APPLICANT—Adolph G. Kraus, for Alpha Tank Company, owner.

SUBJECT—Alpha 550 Gallon Cylindrical Gasoline Storage Tank, approval of.

APPEARANCES—

For Applicant: Adolph G. Kraus.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (417-42-SM)

WHEREAS, Adolph G. Kraus, for Alpha Tank Company, filed on May 21, 1942, an application with the Board of Standards and Appeals for approval of the material known as the Alpha 550 Gallon Cylindrical Gasoline Storage Tank; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 14, 1942.

Re: Cal. No. 417-42-SM.

Subject: Alpha 550 Gallon Cylindrical Gasoline Storage Tank, Approval of.

The Alpha Tank Company, Glendale, L. I., filed on May 21, 1942 with the Board of Standards and Appeals an application under the requirements of Sec. C26-178.0b of the Administrative Building Code for approval of the Alpha 550 Gallon Cylindrical Gasoline Storage Tank for use in New York City under Sec. C19-69.0 of the Administrative Building Code.

Blueprints filed with the application indicate that these tanks are constructed cylindrical in type, of ¼ in. steel, with full dished heads; shell consists of more than one piece, with all seams of the several pieces lapped 2 in. and welded; overall length 8 ft. 1 in. radius of heads 42 in., diameter of shell 42 in.

A sample tank was subjected to a pressure test at the applicant's plant on Sept. 10, 1942 in the presence of Commissioner C. M. Blum, Engineers L. V. Huber and J. F. Fitzsimons and Inspector Charles Johnson of the Fire Department. This tank was inspected and found to be 42 in. in inside diameter, shell 83 in. long made up of two rings of two sheets each, one ring 63 in. long, the ends of which overlapped the shorter ring; shorter sheets were welded 16 in. away from perpendicular center-line and long sheets 19 in. away on opposite sides. A circular disk cut from the top of the tank after the test when measured showed a thickness of .221 in. For the test, the tank was filled with water, all ports closed and the pressure built up by introducing nitrogen. The pressure was held at 150 p.s.i. without noticeable distortion of the tank. All welding was of the filet type single pass.

Recommendations.

On the basis of the foregoing test data, the Committee on Tests recommends the approval under Sec. C26-191.0 of the Administrative Building Code of the Alpha 550 Gallon Cylindrical Gasoline Storage Tank for use in New York City, subject to the following requirements:

Steel shall be open-hearth steel, not less than ¼ in. thick (the tested tank did not meet this requirement). During the existing emergency, more than one piece may be used in the construction of the shell.

All welding shall conform to the Fusion Welding and Gas Cutting Rules of the Board of Standards and Appeals.

A Certificate of Approval shall be obtained from the Fire Commissioner before this approval shall become effective.

All installations shall be in accordance with the requirements of Sec. C19-59.0 and other pertinent sections of the Administrative Code.

The Committee further recommends that all tanks manufactured under this approval shall be marked: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 417-42-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Alpha 550 Gallon Cylindrical Gasoline Storage Tank, on condition that the material be manufactured, installed and labelled stamped or tagged in accordance with above report.

665-42-SA.

APPLICANT—Siph-O-Products Corporation, owner.

SUBJECT—Siph-O Universal Smooth Faucet Adapter approval of.

APPEARANCES—

For Applicant: Claude A. Hastings.

ACTION OF BOARD—Appliance approved in accordance with report of the Committee on Tests.

MINUTES

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (665-42-SA)

WHEREAS, the Siph-O Products Corporation, owner, filed on September 10, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the Siph-O-Universal Smooth Faucet Adapter; and
WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and
WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 21, 1942.

Cal. No. 665-42-SA.

Subject: Siph-O-Universal Smooth Faucet Adapter, approval of.

The Siph-O Products Corp. of Boston, Mass. filed an application with the Board of Standards and Appeals on September 10, 1942, for the approval of a faucet adapter for use with the normally unthreaded faucets in a home so as to allow the connection of a garden hose to such faucet by means of this adapter providing the required threaded bib. In this manner water becomes available for use through a garden hose on incendiary bombs and secondary fires resulting therefrom. The application is being made to the Board in accordance with the powers granted the Board by Section 666, Par. 1, of the New York Charter reading: "To test and approve materials and appliances to be used pursuant to law."

Description

The Siph-O Smooth Faucet Adapter (Fig. 1) is a device for accomplishing a secure, leakproof connection of a hose to a smooth-surfaced (unthreaded) water

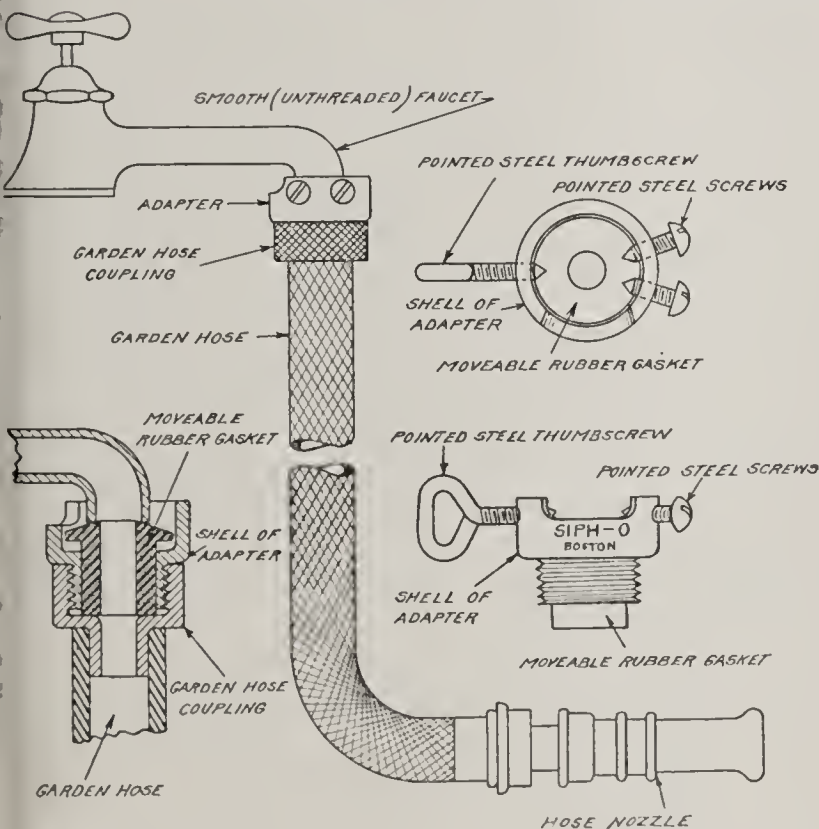


Fig. 1

faucet of any shape or size within the physical proportions of the adapter. It consists of a zinc die casting, the lower end of which has a standard thread to receive the hose coupling, and the upper end of which fits over and is clamped to the outside of the smooth faucet by the compressive gripping force of three adjustable pointed steel screws which are horizontally threaded through the upper perimeter of the casting.

Two of the screws have ordinary round heads; the third is a thumb screw by which the clamping pressure is exerted. Free to move up and down within the vertical core of the casting is a rubber gasket having a hole through its middle for the passage of the water, and a convex upper surface and a flat lower surface. As the hose coupling is screwed up on the bottom of the casting, the collar of the coupling presses against the lower surface of the gasket and forces the gasket upward so that its top surface presses against the orifice of the faucet, with the result that when the hose connection has been completed the upper end of the gasket seals the faucet against leakage and its lower end seals the hose against leakage.

Tests

Twelve samples of this adapter were tested on such faucets and water pressure conditions as were found in the twelve locations within the city of New York, and in each case no leaks occurred. Samples were also submitted to the Central Testing Laboratory and subjected intermittently to tests on round and obround faucets at a pressure of 50 p.s.i. with no leakage occurring. (Report B-19571.) The device was also tested by the New York City Fire Department and upon being found satisfactory was approved under Certificate of Approval #603.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends that the Siph-O-Universal Smooth Faucet Adapter, as manufactured by the Siph-O-Products Corp. of Boston, Mass. be approved under authority granted the Board by Sec. 666, Par. 1, of the New York City Charter for use in New York City for the period of the existing emergency for such use as is provided in Local Law #25 of 1942.

It is further recommended that each adapter bear a stamp, label or tag reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 665-42-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Siph-O-Universal Smooth Faucet Adapter, on condition that the appliance be manufactured, installed and labelled, stamped or tagged in accordance with the above report.

Adjourned: 4:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on April 28, 1942, as they appeared in Bulletin No. 18, Vol. 27, are hereby corrected to read as follows:

*Correction—The words "is a frame 2 car garage" omitted in line 27 of resolution and the words "are two, 2 car frame garages" inserted therefor and the words "except that the existing garage structure accommodating four cars may be continued" inserted in lines 52 and 53 of resolution.

MINUTES

THE RESOLUTION—

(837-41-BZ)

WHEREAS, Max Horn, for Alice Drucker, owner, filed September 26, 1941, an application under section 7h of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 156 Beach 68th street, east side, 440 ft. south of Rockaway Beach boulevard (Block No. 360, Lot No. 29), Arverne, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, April 28, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Beach 68th street and Beach 67th street are each in residence and business use districts; Boardwalk is in a residence use district; Rockaway Beach boulevard is in a business use district; and

WHEREAS, the decision of the borough superintendent on Misc. Application No. 7631-1941 dated September 26, 1941, reads:

"1. The parking of cars on a plot located in a residence zone is contrary to Article 2, section 3 of the Zoning Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. with a depth of 100 ft. Upon the rear of the plot there are two, 2 car frame garages. It is proposed to use the remainder of the plot for a temporary

period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals do hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7 thereof, for a term of two (2) years, to permit the premise to be occupied for the seasonal transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type and only those capable of operation shall be so parked; that the plot shall be leveled substantially to the grade of Beach 68th street and shall be surfaced with steam cinders, clean gravel or other suitable material; that adequate fencing shall be maintained on the interior lot lines and on the street building line; that the entrance to Beach 68th street shall not exceed 15 ft. in width; that during the term of this permit the premise shall be occupied for no other use and no building shall be erected thereon *except that the existing garage structure accommodating four cars may be continued* and no sign shall be erected, except there may be erected at the street building line a sign attached to the fence not exceeding 1 sq. ft. in area, advertising only the transient parking use and the rates charged, provided such sign is not illuminate and does not extend beyond the building line; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

**LOCATIONS AT WHICH ZONING VARIANCES FOR A TEMPORARY TERM HAVE
BEEN GRANTED FOR TRANSIENT PARKING OR STORAGE FOR
MORE THAN FIVE MOTOR VEHICLES**

BOROUGH OF MANHATTAN

<i>Calendar Number</i>	<i>Location</i>	<i>Expiration Date</i>	<i>Calendar Number</i>	<i>Location</i>	<i>Expiration Date</i>
200-33-BZ	2153 1st avenue	6-24-43	763-38-BZ	732 Second avenue	11- 5-43
3-34-BZ	229 W. 60th street	2-27-39	802-38-BZ	225 W. 33rd street	10-28-43
314-35-BZ	15-23 W. 43rd street	11-25-43	840-38-BZ	52 E. 8th street	2-18-43
92-36-BZ	109 W. 50th—110 W. 51st streets..	2- 3-44	902-38-BZ	337 W. 49th street	6-17-43
100-36-BZ	135 W. 51st—130 W. 52nd streets..	11- 6-42	933-38-BZ	234 W. 31st street	10-28-43
124-36-BZ	63 W. 35th street	10-29-42	1013-38-BZ	235 E. 97th street	5- 5-44
159-36-BZ	245 W. 41st street	11- 1-40	1018-38-BZ	3740 Broadway	4- 4-41
174-36-BZ	44 E. 12th street	9-10-42	1181-38-BZ	203 W. 95th street	4- 4-44
212-36-BZ	317 E. 103rd street	2-20-42	1193-38-BZ	29 W. 28th street	3-11-44
272-36-BZ	One 2nd avenue—98 E. Houston street	5-13-43	1197-38-BZ	318 W. 34th street	12- 3-42
330-36-BZ	141 E. 48th street	10-15-42	1199-38-BZ	341 W. 53rd street	4-15-43
17-37-BZ	322 W. 41st street	6-10-43	31-39-BZ	331 W. 53rd street	4-15-43
86-37-BZ	146 W. 31st street	7-21-44	70-39-BZ	250 Madison avenue	6-24-43
166-37-BZ	4485 Broadway	5-26-44	310-39-BZ	249 W. 43rd street	1-27-44
271-37-BZ	123 W. 47th street	12-23-43	422-39-BZ	305 W. 21st street	4-17-44
306-37-BZ	238 W. 50th street	10-21-43	433-39-BZ	225 Nagle avenue	2- 3-44
334-37-BZ	412 Lexington avenue	3-17-44	566-39-BZ	140 Post avenue	9-30-43
336-37-BZ	322 W. 57th street	3- 3-44	799-39-BZ	4 E. 135th street	5-20-46
428-37-BZ	870 8th avenue	4- 7-44	823-39-BZ	231 W. 50th street	1-13-44
436-37-BZ	239 E. 3rd street	7-14-44	1091-39-BZ	1120 Sixth avenue	11-28-41
448-37-BZ	255 W. 33rd street	9-22-44	1174-39-BZ	280 St. Nicholas avenue	11-18-43
456-37-BZ	4866 Broadway	9-29-44	1289-39-BZ	423 W. 35th street	11-13-42
459-37-BZ	201 W. 56th street	11- 9-40	1392-39-BZ	265 W. 52nd street	4- 7-44
460-37-BZ	731 Lexington avenue—141 E. 58th street	5- 7-42	95-40-BZ	41 W. 58th street	4-23-42
461-37-BZ	247 Madison avenue	10-15-43	216-40-BZ	306 E. 107th street	2-11-43
480-37-BZ	21-25 Union Sq. West	6-11-42	235-40-BZ	1060 St. Nicholas avenue	1-21-43
487-37-BZ	25-53 W. 48th street	4-12-40	421-40-BZ	122 E. 32nd street	7-23-44
490-37-BZ	246 Nagle avenue	11-19-42	507-40-BZ	235 Riverside drive (95th street)..	4-29-43
527-37-BZ	144 E. 43rd street	7- 9-42	568-40-BZ	259 W. 124th street	11-13-42
554-37-BZ	896 8th avenue	10-29-42	631-40-BZ	333 W. 34th street	10-15-42
558-37-BZ	62-66 Henry street	9-27-40	631-40-BZ	323 W. 34th street	5-27-43
559-37-BZ	5020 Broadway	2-17-44	647-40-BZ	601 W. 134th street	1-14-43
573-37-BZ	101 W. 67th street	1-10-41	691-40-BZ	3325 Broadway	1-14-43
593-37-BZ	404 W. 41st street	2-11-43	726-40-BZ	418 W. 41st street	2-25-43
599-37-BZ	59-61 Hillside avenue	4- 7-44	818-40-BZ	1882 Second avenue	1-20-44
613-37-BZ	234 W. 124th street	4-30-42	819-40-BZ	1888 Second avenue	1-20-44
615-37-BZ	456 W. 41st street	11-13-42	830-40-BZ	105 E. 48th street	9- 9-46
17-38-BZ	324 W. 34th street	1- 6-44	1026-40-BZ	430 W. 41st street	2-25-43
29-38-BZ	251 W. 33rd street	9-22-44	1071-40-BZ	428 W. 45th street	4-15-43
51-38-BZ	44 Suffolk street	5-26-44	1192-40-BZ	312 W. 59th street	6-10-43
66-38-BZ	340 Sixth avenue	11- 6-42	72-41-BZ	45th street to 46th street, 275 feet W. of Lexington avenue	7-15-43
100-38-BZ	11 W. 35th street	9-15-44	105-41-BZ	442 E. 109th street	1-28-44
145-38-BZ	475 W. 146th street	5-13-43	304-41-BZ	116 W. 31st street	6-24-43
150-38-BZ	4275 Broadway	3-24-44	379-41-BZ	220 W. 230th street	11-18-43
274-38-BZ	169 Dyckman street	10-28-43	385-41-BZ	2 W. 53rd street	11-12-43
315-38-BZ	601 W. 165th street	5-12-44	426-41-BZ	125 Ft. Washington avenue	7- 8-43
512-38-BZ	109 W. 31st street	9-17-42	436-41-BZ	109 W. 227th street	10-28-43
583-38-BZ	1738 Broadway	11- 9-42	503-41-BZ	314 W. 43rd street	4- 7-44
589-38-BZ	303 W. 51st street	12-13-38	997-41-BZ	1891 Second avenue	5- 5-44
702-38-BZ	7-9 E. 2nd street	2- 6-42	1060-41-BZ	451 W. 45th street	5-12-44
			314-42-BZ	122 W. 48th street	12-23-43

BOROUGH OF RICHMOND

<i>Calendar Number</i>	<i>Location</i>	<i>Expiration Date</i>
342-41-BZ	85-95 Stuyvesant place	12- 2-43

**LOCATIONS AT WHICH ZONING VARIANCES FOR A TEMPORARY TERM HAVE
BEEN GRANTED FOR TRANSIENT PARKING OR STORAGE FOR
MORE THAN FIVE MOTOR VEHICLES**

BOROUGH OF BROOKLYN					
<i>Calendar Number</i>	<i>Location</i>	<i>Expiration Date</i>	<i>Calendar Number</i>	<i>Location</i>	<i>Expiration Date</i>
272-26-BZ	555 Atlantic avenue	6-25-42	1053-38-BZ	2503 65th street	3-25-43
712-26-BZ	2205 Emmons avenue	7-18-43	388-39-BZ	1197 DeKalb avenue	9-23-43
327-27-BZ	745 Ralph avenue	5-27-43	422-39-BZ	305 21st street	1- 3-42
414-29-BZ	970 Nostrand avenue	7- 7-38	459-39-BZ	505 Utica avenue	1-13-44
752-29-BZ	8801 Fourth avenue	5- 6-43	704-39-BZ	698 Livonia avenue	10-21-43
401-31-BZ	1-19 Fifth avenue	4- 2-42	737-39-BZ	441 Manhattan avenue	3-10-44
55-32-BZ	202 Brighton Beach avenue	6-17-43	842-39-BZ	963 Rutland road	3-11-43
215-32-BZ	670 Halsey street	7-14-44	1175-39-BZ	2201 Beverly road	4-17-44
354-32-BZ	598 Flatbush avenue	11-19-42	1220-39-BZ	364 Empire boulevard	10-15-42
99-33-BZ	3068 Ocean parkway	9- 1-43	1341-39-BZ	705 McDonald avenue	4- 7-44
127-35-BZ	115 Truxton street	2-17-44	99-40-BZ	163 Boerum street	1-21-43
212-35-BZ	948 65th street	5-12-44	299-40-BZ	35-43 Fourth avenue	6- 9-44
293-36-BZ	344 Eldert street	3-24-44	372-40-BZ	768 Utica avenue	3-18-43
39-37-BZ	619 Coney Island avenue	1- 6-44	609-40-BZ	217 Schermerhorn street	5- 6-43
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			498-42-BZ	733 McDonald avenue	4- 7-44

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building, New York City.

Vol. XXVII	Subscription \$2.50 a year	OCTOBER 13, 1942	Single Copies, 5 cents By Mail, 8 cents	No. 41
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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, Chief Clerk

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Notice of Public Hearing on Proposed Amendments to Rules relative to Submerged Inlets and Protective Methods to be applied to Prevent Contamination of Water Supply.

COURT DECISION.

Matter of Hans Riesenfeld and Marie Riesenfeld, et al., objectors (Board of Standards and Appeals):—
On May 5, 1942, the Board granted, under Section 7d of the building zone resolution, an application to permit in a residence use district the use of a plot of ground as a recreational area for the tenants of a building not located on the same lot with the proposed use, as an adjunct of a housing development; Cal. No. 176-42-BZ; premises 56-39 to 56-51—30th avenue, Woodside, Borough of Queens. Mr. Justice Hallinan at Special Term, Supreme Court, sustained the Board (N. Y. L. J. October 1, 1942).

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION 10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, Chairman.

CALENDAR

DOCKET.

New Cases Filed up to October 6, 1942.

Cal. No.	Dept.	Premises Affected
712-42-A	F.D.	4485-4519 Broadway, northwest corner of West 192nd street (Block No. 2180, Lot Nos. 633, 635 and part of Lot No. 646), Borough of Manhattan, 32070-LC.
713-42-SM		Peproco (Heavy Plastic), manufactured by Stanley S. Peters, d/b/a Peters Process Company, Material.
714-42-BZ	H.B.Q.	108-26 66th road, south side, 220 ft. east of 108th street (Block No. 5175, Lot No. 18), Forest Hills, Borough of Queens, Misc. 4587-42.
715-42-A	H.B.Q.	11-49 44th road, north side, 89 ft. 8 5/8 in. west of 21st street and 13-02 44th avenue (Block No. 446, Lot No. 10), Long Island City, Borough of Queens, M-Applic. 4282-42.
716-42-S	H.B.M.	3280-3290 Broadway and 122 West 133rd street, southeast corner and 90-100 Old Broadway (Block No. 1986, Lot No. 65), Borough of Manhattan, Amendment to Alt. 1150-42.
717-42-A	F.D.	220-254 36th street, south side, entire block from 2nd to 3rd avenues (Basement, Model Loft Building, No. 2); (Block No. 695, Lot No. 1), Borough of Brooklyn, 87953-L. C. and Decision.
718-42-A	H.B.Q.	149-25 Rockaway Beach boulevard, south side, 100 ft. west of Beach 149th street (Block No. 810, Lot No. 1), Rockaway Beach, Borough of Queens, Amendment to Alt. 21-42.
719-42-A	F.D.	1360-1366 Fifth avenue and 1-3 West 113th street, northwest corner (Block No. 1597, Lot No. 33), Borough of Manhattan, 14523-L. F. and Decision.
720-42-A	F.D.	92-96 Clifton place, south side, 175 ft. west of Classon avenue (Block No. 1952, Lot Nos. 25, 26 and 27), Borough of Brooklyn, 8985-L. F. and Decision.
721-42-BZ	H.B.Bx.	1538 Purdy street, southeast corner of St. Raymond's avenue (Block No. 3948, Lot No. 22), Borough of The Bronx, Amendment to Alt. 381-42.

Restored to Calendar.

33-20-BZ	H.B.Bx.	245 West Fordham road, northeast corner of Cedar avenue (Block No. 3235, Lot Nos. 30, 33, 34, 37, 38, 48 and 49), Borough of The Bronx, Alt. 490-42.
785-39-SM		Knightware Acid Neutralizing Sumps, manufactured by Maurice A. Knight, Material.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June	24, 1941—Vol. 26, No. 25
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Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
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OCTOBER 14, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution. *Wednesday morning, October 14, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

559-37-BZ—Application of Samuels and Samuels, applicants, on behalf of Fellman Realty Corporation, owner, reopened April 28, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

291-42-BZ—Application, April 7, 1942, under section 7h of the zoning resolution, of Engadine Holding Corporation, applicant and owner, to permit in a residence use and, also two (2) times height district, the maintenance of a glass enclosure on the 31st story of the existing (hotel) building; this enclosure is contrary to section 26 of the multiple dwelling law as the height of the building exceeds 178 feet.

CALENDAR

and, also, contrary to the height regulations of the zoning resolution; premises 50-56 West 59th street, south side, 120 ft. east of Sixth avenue and 1430-1436 Sixth avenue (Block No. 1274, Lot No. 71), Borough of Manhattan.

82-42-BZ—Application, April 6, 1942, under sections 7h and 21 of the zoning resolution, of Irving Kirshenblit, applicant, on behalf of Pauline Saltzman, owner, to permit in a business use district, the maintenance of an existing garage for five (5) motor vehicles and also, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2181-2187 Pitkin avenue, north side, 25 ft. east of Bradford street (Block No. 3725, Lot No. 32), Borough of Brooklyn.

41-42-BZ—Application, April 24, 1942, under section 21 of the zoning resolution, of Ferdinand Savignano, applicant, on behalf of Mae Feiola, owner, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment; premises 59 Madison street, north side, 66 ft. 2 in. east of Oliver street (Block No. 279, Lot No. 31), Borough of Manhattan.

06-42-BZ—Application, March 16, 1942, under section 7 of the zoning resolution, of Frank C. Keller, applicant, on behalf of Henry Hiller, owner (Richfield Oil Corporation of New York, lessee), to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles upon an existing gasoline service station; premises 91-02 63rd drive, northeast corner of Alderton street (Block No. 3104, Lot No. 208), Rego Park, Borough of Queens.

02-42-BZ—Application, May 18, 1942, under section 7e of the zoning resolution, of Frank Flinker, applicant, on behalf of Morris Feuigersch, owner (Standard Tex and Alsomine Company, lessee), to permit in a business use district, for a term of two (2) years, the sale and display of paint with 25% of the floor area used for paint mixing; premises 2542 (2540 displayed) Atlantic avenue and 47 Williams avenue, southeast corner (Block No. 3683, Lot No. 1), Borough of Brooklyn.

0-42-BZ—Application, April 22, 1942, under section 7c of the zoning resolution, of Eugene De Rosa, applicant, on behalf of Jeron Company, Incorporated, owner, to permit partly in a business use and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores; premises 95-42 to 95-48 Queens Boulevard, south side, 130 ft. west of 63rd drive and 63-39 63-49 Saunders street (Block No. 3080, Lot Nos. 30 and 31), Rego Park, Borough of Queens.

3-42-BZ—Application of Charles M. Lobejager, applicant, on behalf of Bulova Watch Company, owner, reopened September 22, 1942, under section 7c of the zoning resolution, to permit in a business use district, the erection of a building, three (3) stories and basement in height, to be used for manufacturing in excess of the area permitted to be used for manufacturing in a business use district (previously permitted by the Board to be erected two (2) stories and basement in height); premises 40-05 61st street, 40-06 61st street, the south side of Woodside avenue, from 61st street to 62nd street (Block No. 1336, Lot Nos. 38, 41, 44 and 47), Woodside, Borough of Queens.

3-42-BZ—Application, May 19, 1942, under section 21 of the zoning resolution, of S. Walter Katz, applicant, on behalf of The Gerry Estates, Incorporated, owner (I. A. Management Corporation, lessee), to permit in a building located in a restricted retail use district, a proposed occupancy of 25% manufacturing on the 2nd to 7th stories; premises 65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 1, Lot No. 22), Borough of Manhattan.

76-22-BZ—Application of Tobias Goldstone, applicant, on behalf of Rubar Realty Corporation, owner, reopened

September 22, 1942, under section 21 of the zoning resolution, to permit in a business use district, the alteration and change of use of a building from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and a newspaper distributing station, which will include the storage of more than five (5) motor vehicles; premises 204-210 (Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

Appeals from Administrative Decisions.

673-42-A—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

401-42-S—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 14, 1942, 2 P. M.

Appeals from Administrative Decisions.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (1st floor, front room); (Block No. 1198, Lot No. 23), Borough of Manhattan.

679-42-A—405 East 4th street, north side, 200 ft. west of East River drive (Block No. 359, part of Lot No. 36), Borough of Manhattan.

644-42-A—601-605-609 Beach 9th street, west side, 246.89 ft. south of Caffery avenue (Block No. 111, Lot Nos. 20 and 3), Far Rockaway, Borough of Queens.

482-42-S—31-10 Thompson avenue, south side, from 31st street to 31st place (Block No. 278, Lot No. 9), Long Island City, Borough of Queens.

542-42-S—682 Sixth avenue, east side, 98 ft. 9 in. south of West 22nd street (Block No. 823, Lot No. 4), Borough of Manhattan.

543-42-A—682 Sixth avenue, east side, 98 ft. 9 in. south of West 22nd street (Block No. 823, Lot No. 4), Borough of Manhattan.

606-42-A—2020 East Tremont avenue, south side, 963.81 ft. east of Unionport road (Block No. 3944, Lot No. 1), Borough of The Bronx.

715-42-A—11-49 44th road, north side, 89 ft. 85/8 in. west of 21st street and 13-02 44th avenue (Block No. 446, Lot No. 10), Long Island City, Borough of Queens.

Appliances and Materials for Approval.

21-36-SA—Herco Oil Burner (reopened June 4, 1940, re amendment of resolution to include approval of additional Model P-5).

1133-39-SA—Bettendorf Oil Burner (reopened February 25, 1941, re amendment of resolution to include approval of additional Models B and B1).

193-42-SA—ES Emergency Release Switch.

295-41-SM—Kencoustic.

415-38-SM—Flintkote Built-Up Roofing (for reopening and amendment of resolution).

CALENDAR

OCTOBER 20, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, October 20, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

159-36-BZ—Application of Alurion Realty Corporation, owner, and Public Service Interstate Transportation Co., lessee, reopened February 18, 1941, under section 7h of the building zone resolution, to permit in a retail one (1) use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (Bus Terminal); premises 245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1013, Lot No. 3), Borough of Manhattan.

363-42-BZ—Application, May 5, 1942, under sections 7e and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adee, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

474-42-BZ—Application, June 15, 1942, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Temple Beth-El, owner, to permit in a residence use and, also, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution; premises 121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

548-42-BZ—Application, July 9, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Felix Vichione, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 492-500 Lorimer street and 56-62 Powers street, southeast corner (Block No. 2780, part of Lot No. 1), Borough of Brooklyn.

557-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 95-07 63rd road, north side, 20.43 ft. west of 96th street (Block No. 2084, Lot Nos. 153, 155 and 156), Rego Park, Borough of Queens.

558-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a business use and partly in a residence use district, for a term of two (2)

years, the parking and storage of more than five (5) motor vehicles; premises 96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 101), Rego Park, Borough of Queens.

596-42-BZ—Application, July 27, 1942, under section 7c of the zoning resolution, of Koch and Wagner, applicants on behalf of The Roberts Numbering Machine Company, owner, to permit in a residence use district, the erection and maintenance of a garage for five (5) motor vehicles (of the pleasure car type) for storage of cars owned by the officers of the owners of factory buildings located on the same plot; premises 30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block No. 4102, Lot Nos. 19 and 35), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

OCTOBER 20, 1942, 2 P. M.

Appliance and Materials for Approval.

182-41-SA—Carrier Home Weathermaker, type 58D (Oil Fired).

785-39-SM—Knightware Acid Neutralizing Sumps (reopened and restored to calendar, October 6, 1942; previously dismissed for lack of prosecution).

376-41-SM—Lux-Right Metal Arcawalls (for basement window wells).

OCTOBER 27, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, October 20, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

539-42-BZ—Application, July 6, 1942, under section 7 of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

217-42-BZ—Application, March 18, 1942, under section 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mollie Barth, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 158 East 205th street, south side, 80 ft. east of Grand Concourse (Block No. 3311, Lot No. 105), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 6, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the recessed meetings of the Board held on Friday morning, September 25, 1942 and on Monday afternoon, September 28, 1942 and the minutes of the regular meetings of the Board held on Tuesday morning, September 29, 1942 and Tuesday afternoon, September 29, 1942 were approved, as printed in Bulletin No. 40, Vol. 27.

MINUTES

ZONING CASES.

17-42-BZ.

APPLICANT—Henry Nordheim, for Mollie Barth, owner.
SUBJECT—Application (re decision of the acting borough superintendent) under sections 7h and 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—158 East 205th street, south side, 80 ft. east of Grand Concourse (Block No. 3311, Lot No. 105), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Mollie Barth.
For Opposition: E. J. Gallant.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 27, 1942 at 10 A. M. for further consideration by the Board. No further argument.

74-42-BZ.

APPLICANT—Max Horn, for Temple Beth-El, owner.
SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use and, also, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution.

PREMISES AFFECTED—121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn, James J. Wolfson, Louis K. Belle and Dr. Robert Gudes.
For Opposition: Max Meyer and Frederick T. Davies.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 20, 1942 at 10 A. M. for further consideration by the Board. No further argument.

9-42-BZ.

APPLICANT—Edwin H. Thatcher, for Polytechnic Institute of Brooklyn, owner.

SUBJECT—Application re (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin H. Thatcher and E. D. Thatcher.
For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 27, 1942 at 10 A. M. for further consideration by the Board.

-42-BZ.

APPLICANT—Lama and Proskauer, for Felix Vichione, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—492-500 Lorimer street and 56-62 Powers street, southeast corner (Block No. 2780, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Felix Vichione.
For Opposition: Phyllis J. Sanantonio, Jacob M. Aufrecht and others.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 20, 1942 at 10 A. M. for inspection by a committee of the Board. No further argument.

557-42-BZ.

APPLICANT—Fairgate Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—95-07 63rd road, north side 20.43 ft. west of 96th street (Block No. 2084, Lot Nos. 153, 155 and 156), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Francis Finkelhor.
For Opposition: B. Vlachos.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 20, 1942 at 10 A. M. for inspection by a committee of the Board. No further argument.

558-42-BZ.

APPLICANT—Fairgate Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 101), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Francis Finkelhor.
For Opposition: B. Vlachos.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 20, 1942 at 10 A. M. for inspection by a committee of the Board. No further argument.

1294-39-BZ.

APPLICANT—Gilbert Miles Ramsey, for Shell Oil Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the alteration and reconstruction of buildings now used as a public garage and, also, accessory building to a gasoline service station and, also, the extension of the area of the gasoline service station.

PREMISES AFFECTED—112-124 Flatbush avenue extension and 134-140 Tillary street, southwest corner (Block No. 132, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.
For Opposition: Harold Klorfein, Dep't of Parks.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

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THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

160-42-BZ.

APPLICANT—Oscar I. Silverstone, for Susan McPherson, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use and F area district, the erection and maintenance of a one (1) family dwelling, not complying with the zone resolution as to required side yards and also as to the occupied area of the lot.

PREMISES AFFECTED—3336 Bedford avenue, west side, 125 ft. south of Avenue L (Block No. 7642, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo V. McPherson.
For Opposition: Solomon Millendorf.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed as being improperly before the Board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (160-42-BZ)

WHEREAS, Oscar I. Silverstone, for Susan McPherson, owner, filed February 20, 1942, an application under section 21 of the zoning resolution, to permit in a residence use and F area district, the erection and maintenance of a one family dwelling not complying with the zone resolution as to required side yards and also as to the occupied area of the lot; premises: 3336 Bedford Avenue, west side, 125 ft. south of Avenue L (Block No. 7642, Lot No. 52), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 6, 1942 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, at the hearing, the owner's representative stated that the affidavit of ownership did not set forth the correct owner of record.

Resolved, that the application be and it hereby is dismissed as being improperly before the Board.

Adjourned: 12:25 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 6, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

33-20-BZ.

APPLICANT—Thomas Dunn, for Eugene F. Nolan, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re decision of the acting borough superintendent—re Application, previously granted on condition, permitting the extension from an unrestricted use district into a business use district, of an ice storage plant and garage for more than five (5) motor vehicles.

PREMISES AFFECTED—245 West Fordham road, north-east corner of Cedar avenue (north side of Fordham road, at intersection of Landing road and Cedar avenue); (Block No. 3235, Lot Nos. 30, 33, 34, 37, 38, 48 and 49), Borough of The Bronx.

APPEARANCES—

For Applicant: Eugene F. Nolan and Thomas Dunn.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

72-36-BZ.

APPLICANT—William D. Tucker, for Estate of Thomas Snell, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the commissioner of buildings) previously granted on condition for a term of five (5) years under section 7c of the zoning resolution, permitting the extension from a retail use district into a residence use district, of a business use (store) on part of the first story of a residence building.

PREMISES AFFECTED—322-332 Lexington avenue and 130 East 39th street, southwest corner (Block No. 894, Lot No. 71), Borough of Manhattan.

APPEARANCES—

For Applicant: William D. Tucker and William H. Wright.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy
Negative:

THE RESOLUTION (72-36-BZ)

WHEREAS, this application, under section 7c of the building zone resolution to permit the extension from a retail use district into a residence use district of a business use (store) on part of the first story of a residence building premises 322-332 Lexington avenue and 130 East 39th street, southwest corner (Block No. 894, Lot No. 71), Borough of Manhattan, was granted by the Board January 12, 1937, on certain conditions, resolution amended and permitted extended February 10, 1942; and

WHEREAS, William D. Tucker, for Estate of Thomas Snell, owner, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals do hereby amend the resolution of January 12, 1937 as amended February 10, 1942 only in so far as it has reference to the clause pertaining to the Certificate of Occupancy, so that as amended this portion of the resolution shall read:

"that Certificate of Occupancy #23051 is hereby amended to include the permitted business use, variance for which has been granted under this resolution."

100-36-BZ.

APPLICANT—Kim Parking Stations, Incorporated, licensee, for Blervie Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the transient parking of motor vehicles.

PREMISES AFFECTED—135-137 West 51st street, north side, and 130-134 West 52nd street, south side, 30 ft. east of Seventh avenue (Block No. 1004, Lots Nos. 13, 14, 50, 51 and 52), Borough of Manhattan.

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APPEARANCES—

For Applicant: Mammel Rosenstein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (100-36-BZ)

WHEREAS, this application, affecting premises 135-137 West 51st street, north side, and 130-134 West 52nd street, south side, 300 ft. east of Seventh avenue (Block No. 1004, Lot Nos. 13, 14, 50, 51 and 52), Borough of Manhattan, was granted by the Board October 14, 1936, for a temporary term of two (2) years, on certain conditions, the period extended November 4, 1938, November 6, 1940; and WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 14, 1936, as amended by the resolutions of November 4, 1938 and November 6, 1940, only so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*granted* under section 7h for a term of two (2) years from the date of this *amended resolution*."

124-36-BZ.

APPLICANT—Harry Yahr, for Trustees of Mortgage Series C-2, owner (Meyer Parking Corporation, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a restricted retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—63-67 West 35th street, north side, 100 ft. east of Sixth avenue (Block No. 837, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Yahr.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (124-36-BZ)

WHEREAS, this application to permit in a restricted retail use district the parking and storage of more than five (5) motor vehicles, premises 63-67 West 35th street, north side, 100 ft. east of Sixth avenue (Block No. 837, Lot No. 6), Borough of Manhattan, was dismissed by the Board for lack of prosecution October 6, 1929; and

WHEREAS, J. Jacques Stone, for the Trustees of Mortgage Series C-2, owners, requested a reopening of the application and restoration to the Calendar; and

WHEREAS, this case was reopened by vote of the Board and granted on certain conditions on October 29, 1940; and WHEREAS, the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 29, 1940 only in so far as it has reference to the term of the permit, so that as amended this portion of the resolution shall read:

"*granted* under section 7h thereof for a term of two (2) years from the date of this *amended resolution* to permit. * * *

174-36-BZ.

APPLICANT—Kim Parking Stations, Incorporated, lessees, for New York Clothing Cutters Centre, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Manuel Rosenstein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (174-36-BZ)

WHEREAS, this application, affecting premises 44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28) Borough of Manhattan, was granted by the Board July 14, 1936, for a period of two years under certain conditions, permit extended October 11, 1938, September 10, 1940 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 14, 1936, as thereafter amended through resolution of September 10, 1940, only so far as it has reference to term of permit, so that as amended that portion of resolution shall read:

"... granted under section 7, subdivision h, for a term of two (2) years from the date of this *amended resolution*."

330-36-BZ.

APPLICANT—Samuel Rosenblum, for Shelton Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block No. 1303, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (330-36-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, premises 141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block No. 1303, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan, was granted by the Board January 12, 1937, on certain conditions, the permit extended November 1, 1938 and October 15, 1940, and the applicant requested a further extension of the permit.

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Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 12, 1937 as amended October 15, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted under section 7h of the building zone resolution for a term of two (2) years from the date of this amended resolution to permit * * *"

537-37-BZ.

APPLICANT—Walter F. Hogan, for Oliver D. Wallett, lessee, for Schulte Real Estate Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 73rd street and 72-16 to 72-30 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of Lot No. 84), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Oliver D. Wallett and Samuel Gordon.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (537-37-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles, premises 72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 73rd street, and 72-16 to 72-30 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97 and 99 and part of Lot No. 84), Jackson Heights, Borough of Queens, was granted by the Board October 18, 1938, on certain conditions, permit extended October 8, 1940 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 18, 1938 as amended October 8, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted under section 7, subdivision h, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles for a term of two (2) years from the date of this *amended* resolution."

512-38-BZ.

APPLICANT—Kim Parking Stations, Incorporated, lessee, for Lucy A. Duffy, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a period of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—109-111 West 31st street, north side, 100 ft. west of Sixth avenue (Block No. 807, Lot Nos. 34 and 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Manuel Rosenstein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy
Negative:

THE RESOLUTION (512-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit, for a temporary period of not more than two (2) years, in a retail use district, the parking and storage of more than five (5) motor vehicles, premises 109-111 West 31st street, north side, 100 ft. west of Sixth avenue (Block No. 807, Lot Nos. 34 and 35), Borough of Manhattan, was granted by the Board July 20, 1938, on certain conditions, permit extended September 17, 1940 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of July 20, 1938, as amended September 17, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this *amended* resolution to permit * * *"

583-38-BZ.

APPLICANT—Harry Yahr, for The Mutual Life Insurance Company of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting partly in a business use district and partly in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1738-1748 Broadway, and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Yahr.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy
Negative:

THE RESOLUTION (583-38-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit, partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan, was granted by the Board November 9, 1938, on certain conditions, permit extended September 10, 1940 and the applicant requested extension of the temporary period.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 9, 1938 as amended September 10, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this *amended* resolution."

452-41-BZ.

APPLICANT—Louis A. Kiesewetter, for South Atlantic Realty Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution

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permitting in a business use district, the construction of a new accessory building on an existing gasoline service station.

PREMISES AFFECTED—406 Bay street, northwest corner of Clinton street (Block No. 505, Lot No. 18), Tompkinsville, Borough of Richmond.

APPEARANCES—

For Applicant: Jos. B. Lynch.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (452-41-BZ)

WHEREAS, this application, to permit in a business use district, the construction of a new accessory building on an existing gasoline service station, premises 406 Bay street, northwest corner of Clinton street (Block No. 505, Lot No. 18), Tompkinsville, Borough of Richmond, was granted by the Board September 16, 1941, on certain conditions, resolution amended June 9, 1942 and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of September 16, 1941 as amended June 9, 1942 only in so far as it has reference to obtaining permits and completion of the work so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within six (6) months from the date of this *amended* resolution."

801-41-BZ.

APPLICANT—Max Horn, for Yetta Klepper, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a term of two (2) years, the storage and parking of more than five (5) motor vehicles.

PREMISES AFFECTED—132 Beach 31st street, east side, 120 ft. south of Lewmay road (Block No. 302, Lot No. 23), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (801-41-BZ)

WHEREAS, this application, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of motor vehicles, premises 132 Beach 31st street, east side, 120 ft. south of Lewmay road (Block No. 302, Lot No. 23), Edgemere, Borough of Queens, was granted by the Board April 14, 1942, on certain conditions, resolution amended on June 30, 1942 and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 14, 1942, as amended June 30, 1942, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of the statement by the applicant that all work has been completed and that permits and Certificate of Occupancy have been applied for, all permits shall be obtained and all work completed within two (2) months from the date of this *amended* resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

439-42-A.

APPLICANT—15-17 West 84th Street, Incorporated, owner (Herman Mermelstein, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—15 West 84th street, north side 220 ft. west of Central Park West (Block No. 1198, Lot No. 23); (1st floor west—front room), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry C. Kane, for Receiver of property.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 14, 1942, at 2 P. M. at request of receiver in foreclosure action, representing Central Hanover Bank.

644-42-A.

APPLICANT—Martyn N. Weinstein, for Brooklyn Jewish Home for Convalescents, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—601, 605 and 609 Beach 9th street, west side, 246.89 ft. south of Caffrey avenue (Block No. 111, Lot Nos. 20 and 3), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Martyn N. Weinstein and Abraham Berres.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 14, 1942 at 2 P. M. pending an inspection by a committee of the Board.

679-42-A.

APPLICANT—Joe Salwen Paper Company (lessee) for Betsey Ann Fay Estate, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—405 East 4th street, north side, 200 ft. west of East River drive (Block No. 359, part of Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to October 14, 1942 at 2 P. M. for inspection by a committee of the Board. No further argument.

689-42-A.

APPLICANT—Henry C. Hahn, for Premier Metal Etching Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—21-03 44th avenue, northeast corner of 21st street (Block No. 441, Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Henry C. Hahn.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn as being improperly before Board.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

685-42-A.

APPLICANT—Air Reduction Sales Company (lessee), for Defense Plant Corporation, owner.

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SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—206-224 Stewart avenue, east side, entire block bounded by Ten Eyck street, Gardner avenue and Meadow street (Block No. 2952, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Wayne Y. Scofield and John B. Thomson.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (685-42-A)

WHEREAS, the Air Reduction Sales Company (lessee), for Defense Plant Corporation, owner, filed September 21, 1942, an appeal from a decision of the borough superintendent, premises 206-224 Stewart avenue, entire block bounded by Ten Eyck street, Gardner avenue, Meadow street and Stewart avenue (Block No. 2952, Lot No. 1) Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 18, 1942, on N. B. Applic. 375-42, reads:

"The construction of a frame structure within the fire limits is contrary to the Bldg. Code, Sec. 4.1.2, (Ad. Code C26-247)."

and

WHEREAS, the application as originally filed stated that the building will be one story, 37 ft. 11 in. in height, 90 ft. 4 in. by 135 ft. 8 in. in area; of Class 4 construction; equipped with a sprinkler system; located in an unrestricted use area district, on a plot 200 ft. by 400 ft. in area, occupied for the manufacturing of oxygen; and

WHEREAS, revised drawings were filed with the Board at the hearing held October 6, 1942, indicating that all exterior building walls above the floor line will be masonry construction, interior division walls of the lean-to section of hollow tile; that portion of the building extending above the roof line over the engine room area to be wood frame with exterior surfaced with corrugated transite siding. The main supporting members such as interior columns, girders, purlins and beams, as well as diagonal bracing at the soda towers to be of timber construction of slow burning design. All bracing of interior columns to be of 2 in. thick lumber. The ceilings of the surface rooms in the lean-to section to be covered with Celotex for insulating purposes. The transformer room shown on plans filed with the borough superintendent as an open substation at the rear of the building is now shown to be an in-door vault to meet the requirements of the utility companies and to conserve copper. Cooling tower located away from the main building is to be constructed of wood supporting structure with wood cooling unit. This cooling tower is to be used for process only and has no connection with the sprinkler system; and

WHEREAS, the applicant contends that the roof will be constructed of gypsum plank wood girders and beams. The manufacturing process for the production of oxygen will be the Liquefaction process. Working pressure of the entire system except the gas holder will be 2200lb and the design pressure will be 4000lb; the working pressure of the gas holder will be not more than 5lb. The design of the oxygen holder will be the water seal type, which will automatically blow off in the event the pressure is increased beyond the capacity of the water seal. All of the oxygen lines, including the low pressure line, running to the holder, will be protected from mechanical injury and adequate precautions will be taken to prevent oil and grease from coming in contact with any of the equipment carrying the oxygen. The manufacturing process will be as follows:

The air is taken in through the soda towers for purification, from where it goes to the air compressor where

it is compressed to 350lb, liquifying it for delivery to the oxygen column. At this point the oxygen gas is taken off and delivered to the gas holder for storage purposes. From this point the oxygen is drawn to the oxygen compressors, pumped to 2200lb per sq. in. pressure and delivered into cylinders or trailers as required. (Approved ICC cylinders and approved ICC trailers with approved operating capacity of 2200lb per sq. inch). During this operation the oxygen also passes through dryers and other purifications as required to deliver a pure oxygen. The Liquifying Building will be fully equipped with a one-source automatic wet sprinkler system. These structures will be so located on the lot as to preclude the transmission of fire to adjoining structures. Variation of requirements of 4.2.1 of the Admin. Code is requested so as to permit the erection of the plant as proposed and its continued operation for one year after the duration of the present emergency. The entire plant will be surrounded with a fence not less than 6' in height so as to prevent interference with the manufacturing process and to minimize the possibility of sabotage. The plant will be adequately guarded and operated 24 hrs. a day, 7 days a week and telephones of the non-coin type will be maintained on premises to notify Fire Dept. in case of fire. The boiler room will be separated from the balance of the building by partitions surfaced on boiler room side with ¼" Transite and the openings therein equipped with tin-clad self-closing fire-proof doors.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 375-42 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be constructed substantially as indicated on revised plans marked "Received October 6, 1942" and in accordance with the general description as set forth in letter marked "Received October 6, 1942"; that the exterior walls shall be constructed of approved masonry; that wood exterior columns located inside the exterior wall may be constructed as a temporary support for the roof construction, to remain until the masonry has set; that the roof enclosure may be permitted with 2-inch gypsteel plank or 3-ply laminated shiplap sheetrock or 1-inch concrete planks; that the exterior of the soda tower, except where the exterior building wall is extended upwardly, may be constructed of frame above the main roof, provided the exterior of such frame walls is surfaced with incombustible materials; that this permission may also apply to other super-structures shown above the main roof; that the sprinkler system shall be maintained as proposed and shall be connected to fire headquarters through an approved central station; that the sprinkler heads may be omitted in the boiler room and coal pocket and transformer room; that gates shall be maintained in the fence at all points where there is a street hydrant opposite; that the proposed use of this building shall be continued only during the term of the war emergency and at the end of such period the building shall be either entirely removed or put to such use as this Board may approve; that no other buildings shall be erected on the plot other than as shown and proposed herein; that such additional portable fire-fighting equipment shall be maintained as the fire commissioner shall direct that the boiler shall be within a fireproof enclosure enterable only from the exterior except that the roof of such enclosure may be of wood protected above and below by incombustible material so as to provide not less than 1½ hour rating; that the cooling tower, hot well and pump house as shown may be constructed of wood provided they are removed from the main building at least the distance as indicated on plans; that there shall be constructed on the street building line to enclose the entire premises a substantial wood fence with gates as indicated and as herein required for access to street hydrants continuously on all street lines; that such fence may be of wood boarding or substantial construction to a height of 6 ft. with additional wire protection to a total height of 7 ft.; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

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702-42-A.

APPLICANT—Cornell University Medical College, for Cornell University Medical College, New York Hospital, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1300 York avenue, east side, from East 68th to East 70th streets (Block No. 1480, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Edwin K. Taylor and Hugh De Haven.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (702-42-A)

WHEREAS, Cornell University Medical College, for Cornell University Medical College-New York Hospital, owner, filed on September 25, 1942, an appeal from an order and decision of the fire commissioner affecting premises 1300 York avenue, east side, from East 68th to East 70th streets (Block No. 1480, Lot No. 1), Borough of Manhattan; and

WHEREAS, Order No. 31798-LC, issued by the fire commissioner, dated August 6, 1942, reads:

"With reference to your application dated April 1, 1942, for a permit to store and use black and smokeless powder, also squibs, at above location, it is regretted that permit may not be issued for the reason:

That, Article 4 and Article 6 of the New York City Administrative Code prohibits such storage in a building occupied as a school.

YOU ARE THEREFORE, HEREBY, ADVISED TO:

1. Discontinue the storage of black or smokeless powder and squibs used in connection therewith on these premises."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated September 14, 1942; and

WHEREAS, the applicant states that the building is 27 stories in height, on a lot 491.8 ft. by 583 ft. 13/4 in. in area; of Class 1 construction; erected 1932; located in an unrestricted use district and occupied in the college section, which is the portion of the building in question, as follows: Subcellar, storage, no persons; cellar, storage and laboratories, 10 persons; first floor, offices and laboratories, 15 persons; second floor, library and laboratories, 50 persons; third floor, laboratories, 20 persons; fourth floor, laboratories, 40 persons; fifth floor, laboratories and animal rooms, 50 persons; sixth floor, laboratories, 20 persons; seventh floor, animal rooms, 10 persons; eighth floor, pent house, fan room and elevator machinery room, no persons; proposed to be occupied—subcellar to 7th floors, same; pent house floor, elevator machinery room, fan room and laboratory, 2 persons; and

WHEREAS, the applicant contends that the building in question is a medical school with many laboratories accustomed to handle dangerous chemicals; that the building is fireproof; that the materials in question are stored on the roof of the building in a room that houses the fans; that precautions are taken to avoid accidents; that the powder is used in essential confidential war investigation under the supervision of the Office of Scientific Research and Development through the National Research Council; that the investigators are Dr. E. F. DuBois and Joseph C. Hinsey, members of the faculty of Cornell Medical College and it is important that the research work in question be carried on in a place where it can be given careful supervision by these members of the faculty; that the maximum amount of powder proposed to be stored at any one time will consist of 8 ounces of smokeless powder, 1 1/2 lbs. of black powder packed in 8 ounce metal containers

and 100 photographic squibs packed in sawdust in a wooden container; that all of these materials will be stored in metal containers in the fan room (Room C-826), which is of fireproof construction, has five exterior windows, in addition to metal exit door leading to roof and contains no inflammable material; that the materials will be handled only by Mr. DeHaven, who has considerable experience in experimenting with powder and that the room will be kept locked at all times.

Resolved, that the order of the fire commissioner, Order No. 31798-LC be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the amount of smokeless powder, black powder and photographic squibs shall not exceed the quantity herein stated and shall be maintained as proposed and for the purpose as proposed and to the satisfaction of the fire commissioner; that this variance shall continue only during the term of the present war emergency; that such fire-fighting equipment shall be furnished and maintained as the fire commissioner shall direct; that access to the Fire Department Inspector shall be provided at all reasonable times upon application to Mr. DeHaven or Mr. Taylor.

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

785-39-SM.

APPLICANT—Maurice A. Knight, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Knightware Acide Neutralizing Sumps, approval of (previously dismissed for lack of prosecution).

APPEARANCES—

For Applicant: Fred M. Klein.

ACTION OF BOARD—Application reopened and referred to the Committee on Tests for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

845-40-SM.

APPLICANT—Jacon Rich, owner.

SUBJECT—Pyro-Gard (fireproofing compound), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

1065-39-SA.

APPLICANT—Hydraulic Elevator and Machine Company, Incorporated, owner.

SUBJECT—Hydraulic Elevator and Machine Company, Incorporated, Combination Elevated Gate or Door Contact, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1065-39-SA)

WHEREAS, the Hydraulic Elevator and Machine Co., Inc., owner, filed on August 24, 1939, an application with the

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Board of Standards and Appeals for approval of the appliance known as the Hydraulic Elevator and Machine Co., Inc., Combination Elevator Gate or Door Contact; and
WHEREAS, the applicant has failed to arrange for an inspection and test of this appliance, although duly notified to do so.
Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

44-41-SM.
APPLICANT—Edgewater Dyeing and Finishing Company, owner.
SUBJECT—Edgewater Flame Quench (flameproofed process), approval of.
APPEARANCES—
For Applicant: Everett A. Newman.
ACTION OF BOARD—Application dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (44-41-SM)

WHEREAS, the Edgewater Dyeing and Finishing Co., owner, filed on January 14, 1941, an application with the Board of Standards and Appeals for approval of the material known as the Edgewater Flame Quench (flameproofed process); and
WHEREAS, the applicant has failed to arrange for an inspection and test of this material, although duly notified to do so.
Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

417-41-SM.
APPLICANT—Eugene Guth, for No-Flame Proofing Company, owner.
SUBJECT—No-Flame Compound, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (417-41-SM)

WHEREAS, Eugene Guth, for No-Flame Proofing Co., owner, filed on May 7, 1941, an application with the Board of Standards and Appeals for the approval of the material known as No-Flame Compound; and
WHEREAS, the applicant has failed to arrange for an inspection and test of this material, although duly notified to do so.
Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

863-41-SM.
APPLICANT—The Debevoise Company, owner.
SUBJECT—Dereka Damp-Proof Black Paint and Dereka Metal Paint Red, No. 500, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (863-41-SM)

WHEREAS, the Debevoise Company, owner, filed on October 7, 1941, an application with the Board of Standards and Appeals for approval of the material known as Dereka Damp-Proof Black Paint and Dereka Metal Paint Red, No. 500; and
WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and
WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 17, 1942.

Re: Cal. No. 863-41-SM.
Subject: Dereka Damp-Proof Black Paint and Dereka Metal Paint Red #500, approval of.

The Debevoise Company of Brooklyn, New York, filed on October 7, 1941 an application with the Board of Standards and Appeals for approval of its material known as Dereka Damp-proof Black Paint and Dereka Metal Paint Red No. 500 under the provisions of Section C26-191.0 (2.2.3) of the Administrative Building Code. Dereka Damp-proof Black is an asphaltum in mineral spirits, comprised of Gilsonite 14.0%, Pitch 22.0% and Mineral Spirits, 100.0%. An affidavit by the Chief Chemist of the applicant, dated November 7, 1941, states that this paint meets Federal Specifications TT-V-51 which calls for the following qualities: *Appearance*—smooth and homogeneous, no livering or stringiness; *Color*—jet black; *Flashpoint* (closed cup) not below 30° C.; *Mixing*—varnish must mix readily to a homogeneous mixture with an equal volume of raw linseed oil; *Matter insoluble in carbon bisulphide*—max. of 1%; *Non-volatile matter*—min. of 40%; *Fatty matter*—min. of 20% of the non-volatile, must be liquid and not show a violet coloration by the Lieberman-Storch test; *Set to touch*—within 5 hours; *Dry* hard and tough within 24 hours; *Toughness*—film on metal must withstand rapid bending over a rod 3 mm. in diameter; *Working properties*—varnish must have good brushing, flowing, covering and leveling properties; *Resistance to water*—dried film must withstand cold water for 1 hour; *Resistance to oil*—dried film must withstand lubricating oil for 6 hours.

Dereka Metal Paint Red No. 500 is a natural iron oxide blended with zinc oxide as pigment, in a light boiled linseed oil vehicle. Chemical analysis gives the following composition:

Pigment 54.5%		Vehicle 45.5%	
Fe ₂ O ₃	56.1%	Treated Linseed Oil..	88%
Zinc Oxide	13.0%	Dryer and Thinner..	12%
Silicates	30.9%		
			100%

An affidavit by the applicant's Chief Chemist, dated November 7, 1941 states that the iron oxide meets Federal Specifications TT-P-31 Iron Oxide and the Zinc Oxide meets the Federal Specifications TT-Z-301 Zinc Oxide. A visual examination by John F. Fitzsimon representing the Board of Standards and Appeals of two panels painted with these materials on July 2, 1938 and exposed for two years to the weather at an angle of 45° showed them to compare favorably with three panels painted in August 1940 and subjected to the same performance test. All five panels showed a satisfactory protection of the steel.

Recommendation.

On the basis of the data contained herein, the Committee on Tests recommends that Dereka Damp-proof Black Paint and Dereka Metal Paint Red No. 500 be approved under Section C26-191.0 (2.2.3) for use under Section C26-522.0 (8.6.2.10) and C26-524.0 (8.6.2.12)—painting of structural steel and protection of structural steel from weather provided that the paint be manufactured as herein described and that the containers of these materials be marked, stamped or labeled "Ap

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proved by the Board of Standards and Appeals for use in New York City under Cal. No. 863-41-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and
WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Dereka Damp-Proof Black Paint and Dereka Metal Paint Red, No. 500, on condition that the material be manufactured and labelled, stamped or tagged in accordance with above report.

979-41-SM.

APPLICANT—Adolph G. Kraus, for L. O. Koven and Brother, Incorporated, owner.

SUBJECT—Koven 275 Gallon Obround Fuel Oil Tank, approval of.

APPEARANCES—

For Applicant: Adolph G. Kraus.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (979-41-SM)

WHEREAS, Adolph G. Kraus, for L. O. Koven and Brother, Incorporated, owner, filed on November 13, 1941, an application with the Board of Standards and Appeals for approval of the material known as the Koven 275 Gallon Obround Fuel Oil Tank; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 2, 1942.

Re: Cal. No. 979-41-SM.

Subject: Koven 275 Gallon Obround Fuel Oil Tank, Approval of.

L. O. Koven and Brother, Inc. of Jersey City, New Jersey, filed on November 13, 1941, with the Board of Standards and Appeals an application under the requirements of Section C26-178.O.b. of the Administrative Code, for approval of its material known as the Koven 275 Gallon Obround Fuel Oil Tank for use in New York City under the provisions of the Oil Burner Rules of the Board.

Koven 275 Gallon Obround Fuel Oil Tanks are made in sizes as follows:

42 in. x 26 in. x 63 in.—long axis horizontal or vertical

44 in. x 24 in. x 72 in.—long axis horizontal

44 in. x 22 in. x 72 in.—long axis vertical

of .138 in. steel on the heads and .129 in. steel for the shell. The dished heads are formed with cylindrical extension rims 1½ in. wide to provide a welding surface; all shells are formed of one piece, with a minimum lap of ½ in. at the seam; the top of the tanks are provided with four 2 in. welded spuds and a 1 in. pressed steel spud is provided in the bottom of one head to be used as a drain; four standard pressed steel pipe support lugs are welded to the bottom of each tank; flanges, seams and pipe connections are metal arc welded, one pass throughout; total weight without legs, 351 pounds.

A sample vertical tank, 63 in. long, was subjected to a pressure test in a vertical position at the applicant's plant in Jersey City on September 24, 1942, in the presence of Commissioner C. M. Blum and Engineers L. V. Huber and J. F. Fitzsimons. Details of construction complied with the above description. The tank successfully met the requirements of Rule 10.3.1 of the Oil Burner Rules.

Recommendation

On the basis of the foregoing data, the Committee on Tests recommends that the Koven 275 Gallon Fuel Oil Obround Fuel Oil Tank be approved under Section C26-191.0 of the Administrative Code for use in fuel oil installations in New York City, when constructed in accordance with the details of this report and drawings filed with the application, but nothing herein contained shall be deemed to waive any requirement of the Oil Burner Rules of the Board as amended July 1, 1941. It is further recommended that all welding conform to the Fusion Welding and Gas Cutting Rules of the Board and that the permanently affixed plate as required by Rule 5.3.2 of the Oil Burner Rules have in addition to the wording therein required the following "Approved by the Board of Standards and Appeals under Cal. No. 979-41-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Koven 275 Gallon Obround Fuel Oil Tank, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

Adjourned: 3:45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on April 28, 1942, as they appeared in Bulletin No. 18, Vol. 27, are hereby corrected to read as follows:

THE RESOLUTION (417-42-SM)

WHEREAS, Adolph G. Kraus, for Alpha Tank Company, filed on May 21, 1942, an application with the Board of Standards and Appeals for approval of the material known as the Alpha 550 Gallon Cylindrical Gasoline Storage Tank; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

* Correction—The words "A Certificate of Approval shall be obtained from the Fire Commissioner before this approval shall become effective" deleted in the report of the Committee on Tests.

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REPORT OF COMMITTEE ON TESTS.

September 14, 1942.

Re: Cal. No. 417-42-SM.

Subject: Alpha 550 Gallon Cylindrical Gasoline Storage Tank, Approval of.

The Alpha Tank Company, Glendale, L. I., filed on May 21, 1942 with the Board of Standards and Appeals an application under the requirements of Sec. C26-178.0b of the Administrative Building Code for approval of the Alpha 550 Gallon Cylindrical Gasoline Storage Tank for use in New York City under Sec. C19-69.0 of the Administrative Building Code.

Blueprints filed with the application indicate that these tanks are constructed cylindrical in type, of $\frac{1}{4}$ in. steel, with full dished heads; shell consists of more than one piece, with all seams of the several pieces lapped 2 in. and welded; overall length 8 ft. 1 in., radius of heads 42 in., diameter of shell 42 in.

A sample tank was subjected to a pressure test at the applicant's plant on Sept. 10, 1942 in the presence of Commissioner C. M. Blum, Engineers L. V. Huber and J. F. Fitzsimons and Inspector Charles Johnson of the Fire Department. This tank was inspected and found to be 42 in. in inside diameter, shell 83 in. long made up of two rings of two sheets each, one ring 63 in. long, the ends of which overlapped the shorter ring; shorter sheets were welded 16 in. away from perpendicular center-line and long sheets 19 in. away on opposite sides. A circular disk cut from the top of the tank after the test when measured showed a thickness of .221 in. For the test, the tank was filled with water, all ports closed and the pressure built up by introducing nitrogen. The pressure was held at 150 p.s.i. without noticeable distortion of the tank. All welding was of the filet type single pass.

Recommendations.

On the basis of the foregoing test data, the Committee on Tests recommends the approval under Sec. C26-191.0 of the Administrative Building Code of the Alpha 550 Gallon Cylindrical Gasoline Storage Tanks for use in New York City, subject to the following requirements:

Steel shall be open-hearth steel, *not less* than $\frac{1}{4}$ in. thick (the tested tank did not meet this requirement). During the existing emergency, more than one piece may be used in the construction of the shell.

All welding shall conform to the Fusion Welding and Gas Cutting Rules of the Board of Standards and Appeals.

All installations shall be in accordance with the requirements of Sec. C19-59.0 and other pertinent sections of the Administrative Code.

The Committee further recommends that all tanks manufactured under this approval shall be marked "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 417-42-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Alpha 550 Gallon Cylindrical Gasoline Storage Tank, *on condition* that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on September 15, 1942, as they appeared in Bulletin No. 38, Vol. 27, are hereby corrected to read as follows:

THE RESOLUTION (636-42-A)

WHEREAS, Emma Grace Borst, owner, filed on August 27, 1942, an appeal from a decision of the borough superintendent, affecting premises: 179-29 153rd road, north side, 265.06 ft. east of Lombard street (Block No. 4661, Lot No. 10), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated August 25, 1942 on Alt. Applic. No. 1172-42 reads:

"1. The moving of a frame building from a location within the fire limits to another location within the fire limits is not permissible."

and

WHEREAS, the applicant states that the premises consist of a plot 40 ft. by 100 ft. in area, located in an undetermined use, "D" area district, upon which it is proposed to erect the building in question 22 ft. by 45 ft. in area, 2 stories (26 ft.), in height, of class 4 construction, to be occupied: cellar—storage and boiler 1st floor—dwelling, one family; 2nd floor—dwelling, one family; and

WHEREAS, the applicant contends that the building was moved from 154-57 Lombard street, a distance of approximately 700 ft. and which site is located in the fire limits; that title to the site upon which the building previously existed, was vested in the city for the Idlewild airport; that the proposed site has been owned by the applicant for upwards of 5 years; that the building has been completely renovated and reconstructed, provided with new plumbing, new fixtures, new foundation, new heating plant and some new plaster and partitions resulting in a total expenditure of \$4,000; that the location of the building on the lot, leaves an unoccupied area of 13 ft. on one side and 5 ft. on the other side and the nearest adjoining building is located 10 ft. from the building in question on one side and 20 ft. on the other side; and

WHEREAS, the applicant further contends that the building is surfaced on the exterior with frame siding and wood shingles and the roof is surfaced with asphalt shingles, as shown on photograph filed with this appeal marked "Received September 11, 1942"; and that the entire block is developed with buildings of similar construction.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1172-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall comply in all respects with the requirements for a similar building when erected outside the fire limits; that the open spaces on the lot as shown shall not be decreased.

Correction—The area of the building changed from "22 ft. by 35 ft." to "22 ft. by 45 ft." in line 15 of resolution.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939, EFFECTIVE, IN ACCORDANCE WITH SECTION (665, SUBDIVISION C) 666, PARAGRAPH 2, OF THE NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, October 30, 1942 at 10:30 A. M., Room 1013, Municipal Building, Manhattan, on Proposed Amendment to Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

NOTE—New matter in *italics*; old matter in parenthesis) to be omitted.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph(s) 2 (and 3), of the New York City Charter (and C26-1268.0c 4) (14.7.1.3 BC) (and C26-1277.0h) (14.8.2.8 BC) pertaining to Sections C26-1268.0,c,4. and C26-1277.0h. of the Administrative Code.

Rule 1. Vacuum Breakers.

All vacuum breakers prescribed under these rules shall be set at least four inches above the flood level rim of fixtures or as otherwise specifically provided for in these rules. Each fixture with submerged inlets shall be independently controlled by an approved vacuum breaker or breakers the full size of supply pipe, as set forth in these rules.

Rule (3) 2. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the (overflow) flood level rim of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture, or as otherwise provided for in these rules.

Water supply lines to water preheating apparatus or coils utilizing waste water shall be equipped with an approved vacuum breaker located at least four feet above the highest elevation of the preheating apparatus or coil, with a check valve between the vacuum breaker and the preheating apparatus. Any hot water boiler supplied through such preheating device and having an independent cold water supply line shall have the cold water supply line equipped with a vacuum breaker and check valve located at least four inches above the highest elevation of the boiler.

Rule (1) 3. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly or indirectly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the (overflow) flood level rim of the fixture (to prevent siphonage or backflow of contaminated water into the housewater distribution piping and checked by the inspector.)

Rule (2) 4. Ballcocks.

All flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than (one-half) three-quarter inch above the overflow outlet of the flush tank.

Ballcocks controlling water supply to suction, roof or other intermediate tanks shall be located at least one inch above the flood level rim of the tank excepting that in roof tanks equipped with an overflow of a size

at least one commercial diameter larger than the water supply pipe, the ballcock may be located two inches above the highest elevation of the overflow pipe. The overflow and emptying pipes of roof, suction and intermediate tanks shall not be directly connected to a drainage system, notwithstanding the permissive provisions of Section C26-1273.0,d for connection to a leader.

Rule (4) 5. Sterilizers.

Direct water supply piping connections to all sterilizers are prohibited, *except that any sterilizing unit, for which a claim is made that the waste trap seal cannot be broken by siphonic action or vacuum or that the water supply cannot be affected by siphonic action, may be used only when approved by the Board. When approved sterilizers are used, the waste piping (for) from sterilizers shall not connect directly with any drainage system. (such waste piping shall discharge above an open, water-supplied, trapped and vented fixture).*

Rule (5) 6. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker. The waste pipe for this type of apparatus shall not connect directly with any drainage system (but shall discharge above an open, water supplied, trapped and vented fixture).

Rule (6) 7. Bidets—Bed Pan Washers.

Installation of a bidet is prohibited. Water supply connection to (bidets,) bed pan washers or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker. *Water supply to bed pan washers equipped with an approved vacuum breaker shall be governed by Rule 3.*

Bed pan washers may be equipped with steam sterilizing equipment only when such equipment has been approved by the Board.

(Rule 7. Roof or Suction Tanks.)

(Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.)

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well or similar type pumps shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant (agency) from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from

PUBLIC HEARING

the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation.

Rule 10. Mortuary, Dissection, Operating and Embalming Tables or Equipment.

Mortuary, dissection, operating and embalming tables or equipment shall not be equipped with any sub-

merged water supply inlets. Hose used in connection with such equipment shall terminate at least 18 inches above the maximum table or equipment elevation at which fluids can overflow. The waste pipe for this type of apparatus shall not connect directly with any drainage system.

Rule 11. Dishwashers.

Water supply to automatic dishwashers shall be equipped with an approved vacuum breaker and a check valve between the vacuum breaker and the fixture. The waste pipe for this type of apparatus shall not connect directly to any drainage system.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;

Boiler making;

Brick, terra cotta or artificial stone works;

Forge shops;

Foundries;

Iron, steel, brass or copper works;

Machine shops;

Smelting;

Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

THE BUILDING LAWS

Now on Sale

THE VARIOUS BUILDING LAWS OF THE CITY OF NEW YORK ARE NOW published in FOUR SEPARATE VOLUMES, consisting of matters affecting or relating to the construction, maintenance, alteration, demolition or removal of structures and buildings in the City of New York; including excerpts from the STATE LABOR LAW, the PLUMBING CODE, ELEVATOR RULES, THE NEW YORK CITY CHARTER, the complete BUILDING CODE OF THE CITY OF NEW YORK; the MULTIPLE DWELLING LAW, the STATE PLASTERING LAW, various local laws, and building and construction rules and regulations adopted by various City and State agencies.

These volumes are now ON SALE at the office of the Supervisor of the City Record, ROOM 2213, MUNICIPAL BUILDING, MANHATTAN, NEW YORK CITY. The price for the complete set of four volumes is \$4 (\$4.10 by mail), single volumes each containing certain parts of the above described legislation, \$1 (by mail \$1.10).

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS.

On October 9, 1942, copy of petition, affidavit and order to show cause was served on the Board by George H. Cohn, attorney for Cities Service Oil Company, owner, in an application denied by the Board for reopening and rehearing on allegedly new facts, to permit in a business use district, under Section 7f of the zoning resolution, the erection and maintenance of a gasoline service station for a stated term of years; Cal. No. 662-26-BZ; premises 3504-3510 Boston Road and 3410 Eastchester Road, Borough of The Bronx.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.
Special meetings as published in this Bulletin.
All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION 10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to October 13, 1942.

Cal. No. Dept. Premises Affected.

722-42-A—H.B.Bx—2515 Grand concourse, west side, 106.34 ft. north of East Fordham road (Block No. 3167, Lot No. 76), Borough of The Bronx, Amendment to Alt. 439-42.

723-42-A—H.B.M.—330 East 51st street, south side, 138 ft. 9 in. north of First avenue (Block No. 1343, Lot No. 40), Borough of Manhattan, Amendment to P. & D. Applie. 440-40.

724-42-SA—Otis Interlock 6690A for Bi-Parting Vertical Hoistway Doors, Appliance.

725-42-SA—Otis Interlock 6690B for Bi-Parting Vertical Hoistway Doors, Appliance.

726-42-A—F.D.—819 Edgewater road, west side, 100 ft. north of Lafayette avenue (Block No. 2762E, Lot No. 303), Borough of The Bronx, 32128-L.C.

727-42-BZ—148-02 to 148-18 147th avenue, south side, from 148th to 149th streets (Block No. 4233, Lot No. 1), South Jamaica, Borough of Queens, Alt. 1636-42.

728-42-A—H.B.Q.—1075 Irving avenue, northeast corner of Schaeffer street (Block No. 3541, Lot No. 7), Ridgewood, Borough of Queens, A-Applic. 1788-42.

729-42-S—H.B.Q.—39-01 Queens boulevard and 43-29 39th street, northeast corner (Block No. 191, Lot No. 5), Long Island City, Borough of Queens, A-Applic. 1727-42.

730-42-BZ—H.B.B.—141-155 Middleton street, north side, 200 ft. west of Harrison avenue and 168-178 Lynch street (Block No. 2237, Lot Nos. 19 and 44), Borough of Brooklyn, Alt. 273-39.

731-42-A—H.B.Bx—570 Walton avenue, east side, 139.97 ft. north of East 149th street (Block No. 2347, Lot No. 7), Borough of The Bronx, B. N. 428-42.

732-42-S—H.B.Q.—20-09 128th street and south side of 20th avenue, from 128th to 129th streets (Block No. 4173, Lot Nos. 19, 31 and 44), College Point, Borough of Queens, Corr. 706-72 re N. B. 46-41.

733-42-SM—Kennedy Improved Cast Iron Water Closet and Urinal Flange, manufactured by Edward Kennedy, Material.

734-42-SM—Kennedy Improved Compact Waste for Sink and Tub Fixture, manufactured by Edward Kennedy, Material.

735-42-S—F.D.—40-36 22nd street and 21-21 41st avenue northwest corner (Block No. 410, Lot No. 38), Long Island City, Borough of Queens, Decision.

Restored to Calendar.

407-42-A—H.B.Q.—31-81 Steinway street, east side, 10 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens, Alt. 564-42.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
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Carbon Dioxide Liquefier, Rules	Mar. 10, 1942—Vol. 27, No. 1
Certificates of Occupancy, approved form	Nov. 25, 1941—Vol. 26, No. 4
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 2
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June 24, 1941—Vol. 26, No. 2
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 3
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 1
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 2
Factory Exit Rules	June 16, 1942—Vol. 27, No. 2
Fire Alarm Rules (Interior)	Apr. 7, 1942—Vol. 27, No. 1
Fire Drill Rules	Aug. 4, 1942—Vol. 27, No. 3
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Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 1
Fusion Welding and Gas Cutting Rules	May 20, 1941—Vol. 26, No. 2
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Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 3
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Fuel Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 4
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Range Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 4
Vacuum Breakers	Nov. 25, 1941—Vol. 26, No. 4

OCTOBER 20, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provision

CALENDAR

the zoning resolution, *Tuesday morning, October 20, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

9-36-BZ—Application of Alurion Realty Corporation, owner, and Public Service Interstate Transportation Co., licensee, reopened February 18, 1941, under section 7h of the zoning resolution, to permit in a retail one (1) use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (Bus Terminal); premises 245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1013, Lot No. 3), Borough of Manhattan.

13-42-BZ—Application, May 5, 1942, under sections 7e and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adey, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 11 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 27, 29, 31 and 33), Borough of The Bronx.

14-42-BZ—Application, June 15, 1942, under section 21 of the zoning resolution, of Max Horn, applicant, on behalf of Temple Beth-El, owner, to permit in a residence use and, so, an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution; premises 121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 1), Rockaway Park, Borough of Queens.

18-42-BZ—Application, July 9, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Felix Vichione, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 492-500 Lorimer street and 56-62 Powers street, southeast corner (Block No. 2780, part of Lot No. 1), Borough of Brooklyn.

17-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 95-07 63rd road, north side, 20.43 ft. east of 96th street (Block No. 2084, Lot Nos. 153, 155 and 156), Rego Park, Borough of Queens.

13-42-BZ—Application, July 13, 1942, under section 7h of the zoning resolution, of Fairgate Holding Corporation, applicant and owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 160), Rego Park, Borough of Queens.

15-42-BZ—Application, July 27, 1942, under section 7c of the zoning resolution, of Koch and Wagner, applicants, on behalf of The Roberts Numbering Machine Company, owner, to permit in a residence use district, the erection and maintenance of a garage for five (5) motor vehicles (of pleasure car type) for storage of cars owned by the owners of the owners of factory buildings located on the same plot; premises 30 Richmond street, west side, 194 ft. north of Jamaica avenue and 692-710 Jamaica avenue (Block No. 4102, Lot Nos. 19 and 35), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 20, 1942, 2 P. M.

Appeals from Administrative Decisions.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (1st floor, front room); (Block No. 1198, Lot No. 23), Borough of Manhattan.

679-42-A—405 East 4th street, north side, 200 ft. west of East River drive (Block No. 359, part of Lot No. 36), Borough of Manhattan.

644-42-A—601-605-609 Beach 9th street, west side, 246.89 ft. south of Cullery avenue (Block No. 111, Lot Nos. 20 and 3), Far Rockaway, Borough of Queens.

628-42-A—383-387 Lafayette street and 22 East 4th street, southeast corner (Block No. 531, Lot No. 20), Borough of Manhattan.

Appliance and Materials for Approval.

182-41-SA—Carrier Home Weathermaker, type 58D2 (Oil Fired).

785-39-SM—Knightware Acid Neutralizing Sumps (reopened and restored to calendar, October 6, 1942; previously dismissed for lack of prosecution).

376-41-SM—Lux-Right Metal Areawalls (for basement window wells).

OCTOBER 27, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, October 27, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

539-42-BZ—Application, July 6, 1942, under section 7h of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

217-42-BZ—Application, March 18, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Mollie Barth, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 158 East 205th street, south side, 80 ft. east of Grand Concourse (Block No. 3311, Lot No. 105), Borough of The Bronx.

1076-22-BZ—Application of Tobias Goldstone, applicant, on behalf of Rubar Realty Corporation, owner, reopened September 22, 1942, under section 21 of the zoning resolution, to permit in a business use district, the alteration and change of use of a building from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and a newspaper distributing station, which will include the storage of more than five (5) motor vehicles; premises 204-210 (Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

Appeal from Administrative Decision.

673-42-A—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

OCTOBER 27, 1942, 2 P. M.

Appliances and Material for Approval.

147-42-SA—Staley Elevator Hoistway Door Interlock, Type RL-2.

221-42-SA—Smith's Types D and J Portable Acetylene Generator, K815, K830, K850, K1515, K1530 and K1550.

222-42-SA—Smith's Type L Stationary Acetylene Generator, K2100, K2200, K2300 and K2500.

56-42-SM—Armstrong's Cushiontone (Acoustical Material).

OCTOBER 30, 1942, 10:30 A. M.

Rules.

835-38-SR—Proposed Amendments to Rules Relative to Submerged Inlets and Protective Methods to be applied to prevent Contamination of Water Supply.

(For Copy of Proposed Amendments, see Bulletin of October 13, 1942, Vol. 27, No. 41.)

NOVEMBER 4, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Wednesday morning, November 4, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

144-42-BZ—Application, February 18, 1942, under sections 21 and 7h of the zoning resolution, of Oscar I. Silverstone, applicant, on behalf of Harry Lipkin, owner, to permit in a business use district, the erection and maintenance of fourteen (14) individual one car garages and six (6) individual one truck garages or to permit the alternate use of the premises for parking and storage of more than five (5) motor vehicles; premises 669-677 McDonald avenue, east side, 40 ft. south of Cortelyou road (Block No. 5385, Lot Nos. 87 and 92), Borough of Brooklyn.

607-42-BZ—Application, August 5, 1942, under section 7h of the zoning resolution, of J. M. Berlinger, applicant, on behalf of Janetta Whitridge, Mary Whitehouse and Harriet Aldrich, owners, to permit in a retail use district,

for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan.

581-42-BZ—Application, July 21, 1942, under section 7h of the zoning resolution, of Paul Friedman, applicant, on behalf of Lucval Realty Corporation (Homecrest Service Station, Incorporated, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1108-1110 (1106-1108 displayed) Avenue T, south side, 4 ft. east of Coney Island avenue (Block No. 7315, Lot No. 3), Borough of Brooklyn.

625-42-BZ—Application, August 18, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Sylvester Liotta, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1183-1185 Myrtle avenue, north side, 117 ft. 6 in. west of Troutman street and 12 Troutman street (Block No. 3182, Lot Nos. 6, 8 and 16), Borough of Brooklyn.

631-42-BZ—Application, August 18, 1942, under section 7h of the zoning resolution, of Max Siegel, applicant, on behalf of Broad Hill, Incorporated and Park Plains, Incorporated, owners, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1582-1598 White Plains road, 1880 East Tremont avenue, southeast corner and 1569-1577 Unionport road (Block No. 3952, Lot Nos. 1, 5, 6, 8, 9, 10, 11 and 19), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 4, 1942, 2 P. M.

Appeals from Administrative Decisions.

299-42-A—1-7 DeKalb avenue, north side, between Gold Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

624-42-S—1-7 DeKalb avenue, north side, between Gold Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, OCTOBER 14, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning, October 6, 1942, and Tuesday afternoon, October 6, 1942, were approved, as printed in Bulletin No. 41, Vol. 27.

ZONING CASES.

1076-22-BZ.

APPLICANT—Tobias Goldstone, for Rubar Realty Corporation, owner.

SUBJECT—Application reopened September 22, 1942 (under decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the alteration and change of use of a building from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and a newspaper distributing station, which will include the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1515, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone and A. Cowan.

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For Opposition: Benjamin Grindrod, Robert Weidmeyer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 27, 1942 at 10 A. M. for further consideration by the Board.

30-42-BZ.

APPLICANT—Eugene De Rosa, for Jeron Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in a business use and partly in a residence use district, the erection and maintenance of a building to be used as a theatre and stores.

REMISES AFFECTED—95-42 to 95-48 Queens boulevard, south side, 130 ft. west of 63rd drive and 63-39 to 63-49 Saunder street (Block No. 3080, Lot Nos. 30 and 31), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Eugene De Rosa and John Kadel.

For Opposition: Paul Jacoby, Jr., Harry W. Kalich, Jabez Dunningham and John P. White.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn after argument, on request of owner's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

59-37-BZ.

APPLICANT—Samuels and Samuels, for Fellman Realty Corporation, owner.

SUBJECT—Application reopened April 28, 1942 (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

REMISES AFFECTED—3996 Tenth avenue and 501 West 213th street, northwest corner (Block No. 2231, part of Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (559-37-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district for temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles, premises 5020-5036 Broadway, 3996-4010 Tenth Avenue, 501-7 West 213th street and 500-518 West 214th street (Block No. 2231, Lot Nos. 1, 5, 13 and 17), Borough of Manhattan, is granted by the Board April 12, 1938, on certain conditions, permitting this use of the premises to Lot 13 only;

and WHEREAS, the permit was extended February 20, 1940 and February 17, 1942; and

WHEREAS, the applicant requested a reopening of the application and an amendment of the resolution, to permit the parking and storage of more than five (5) motor vehicles to be extended to include part of Lot No. 17; and

WHEREAS, this application was reopened by vote of the Board on April 28, 1942, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, at the hearing, there was no appearance made on behalf of the applicant.

Resolved that the application be and it hereby is dismissed for lack of prosecution.

206-42-BZ.

APPLICANT—Frank C. Keller, for Henry Miller, owner (Richfield Oil Corporation of New York, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles upon an existing gasoline service station.

PREMISES AFFECTED—91-02 63rd drive, northeast corner of Alderton street (Block No. 3104, Lot No. 208), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Aaron Hess.

For Opposition: Israel Feinbaum and Mortimer Goodman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (206-42-BZ)

WHEREAS, Frank C. Keller, for Henry Hiller, owner (Richfield Oil Corporation of N. Y., lessee), filed on March 16, 1942, an application under section 7f of the zoning resolution, to permit in a retail use district, for a term of two (2) years the parking and storage of more than five motor vehicles upon an existing gasoline service station; premises 91-02 63rd drive, northeast corner of Alderton street (Block No. 3104, Lot No. 208) Rego Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 63rd drive is in a retail, business and residence use district; Alderton street is in a residence, retail and business use district; and Elwell Crescent is in a residence use district; and

WHEREAS, the decision of the borough superintendent, on Misc. Applic. No. 292-42, dated March 2, 1942, and as amended August 27, 1942, reads:

"1. The storage and parking of more than five motor vehicles within a retail district on the premises used as a gasoline station is contrary to Article 2, Section 4a of the building zone resolution."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 90 ft. on 63rd drive and 100 ft. on Alderton street, occupied as a gasoline service station; that it is proposed to use the vacant portion of the gasoline station, for a term of two (2) years, for parking and storage of more than five motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7f of the zoning resolution.

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Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7f thereof, to permit the parking and storage of not over twenty (20) motor vehicles in addition to the legally existing gasoline station occupancy, provided such cars are parked in the space indicated on plans filed with this application and not nearer to 63rd road than as indicated; the existing retaining walls and fences on the lot lines, where walls of adjoining buildings do not occur, shall be maintained; that the two curb cuts to 63rd drive and the existing one to Alderton street shall not be increased; that the area where parking is herein permitted shall be leveled and surfaced with material to provide a reasonably impervious surface; that no signs shall be erected other than those now existing, except there may be one sign, advertising the parking and storage use and the rates charged, provided such sign is attached to the accessory building and does not exceed ten (10) square feet in area; that there shall be maintained on the pavement, a white painted line not less than 3 inches in width and indication painted thereon that no cars are to be parked to the west of such line; that such line shall be across the entire premises approximately in line with the westerly wall of the accessory building; that in all other respects the occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

282-42-BZ.

APPLICANT—Irving Kirshenblit, for Pauline Saltzman, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a business use district, the maintenance of an existing garage for five (5) motor vehicles and, also, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2181-2187 Pitkin avenue, north side, 25 ft. east of Bradford street (Block No. 3725, Lot No. 32), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Kirshenblit and Pauline Saltzman.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (282-42-BZ)

WHEREAS, Irving Kirshenblit, for Pauline Saltzman, owner, filed April 6, 1942, an application under sections 7h and 21 of the zoning resolution, to permit in a business use district, the maintenance of an existing garage for five motor vehicles and also for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2181-2187 Pitkin avenue, north side, 25 ft. east of Bradford street (Block No. 3725, Lot No. 32), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Pitkin avenue, Glenmore avenue and Miller avenue are all in a business use district; and Bradford street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent dated March 27, 1942, on B. N. Applic. No. 3317-41, read

"1. Proposed parking and storage for more than five motor vehicles in conjunction with present five car garage on premises located in a business zone, is contrary to Art. 11, Sect. 4A(15) of the zoning resolution."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 75 ft. and depth of 100 ft.; that upon the front of the plot there is one story and attic frame, one family dwelling; that upon the rear of the plot there is a 2 car garage and also a car garage; that it is proposed to maintain these two garages and also, for a term of two (2) years, the use of the vacant part of the plot, for storage and parking of more than five motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7h of the zoning resolution.

Resolved, that the Board of Standards and Appeals do hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7h thereof for a term of two (2) years, to permit the parking of not over seven (7) motor vehicles in addition to the accommodation for five (5) in the legally existing garages on the plot; that such motor vehicles shall be of the pleasure-car type or and only such cars as are in condition for operation; that no signs shall be permitted on the premises; that adequate fences shall be maintained on the street building line and interior lot lines; that such fences shall be kept painted; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the existing curb cut shall not be increased; that during the term of the permit, the premises shall be occupied for no other use than as herein permitted, including the residential occupancy of the building and the occupancy of the garages as set forth; and no motor vehicle repairing shall be maintained on the premises; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

291-42-BZ.

APPLICANT—Engadine Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district and, also, a two (2) times height district, the maintenance of a glass enclosure on the 31st story of the existing (hotel) building; this enclosure is contrary to section 26 of the multiple dwelling law as the height of the building exceeds 178 feet and, also, contrary to the height regulations of the zoning resolution.

PREMISES AFFECTED—50-56 West 59th street, south side, 120 ft. east of Sixth avenue and 1430-1436 Sixth avenue (Block No. 1274, Lot No. 71), Borough of Manhattan.

APPEARANCES—

For Applicant: John D. Stephanidis and Z. Sourian.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Sayage and Blum and Deputy Chief Murphy
Negative:

THE RESOLUTION (291-42-BZ)

WHEREAS, Engadine Holding Corporation, owner, filed April 7, 1942, an application under section 21 of the zoning

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solution, to permit in a residence use and also two (2) times height district, the maintenance of a glass enclosure on the 31st story of the existing (hotel) building premises 1430-1436 West 59th street, south side, 120 ft. east of Sixth avenue and 1430-1436 Sixth avenue (Block No. 1274, Lot No. 71), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 59th street is in a residence use and also two times height district; West 58th street is in a retail and business use and also 1½ and 2 times height district; and Sixth avenue is in a residence and retail use and also 2 and 1½ times height district; and

WHEREAS, the decision of the borough superintendent dated September 30, 1942, on N. B. Applic. No. 2013-29, reads:

"In answer to your letter of September 30, 1942, you are advised that our Inspector reports the following objection to the above building:

The construction of the above building conforms to N. B. 113-1929 and the Multiple Dwelling Law, except for the following objection:

1. The set backs at the front and rear, 31st story have been built upon with steel and glass structures, contrary to Article III of the Building Zone Resolution."

WHEREAS, the applicant states that the existing building is of fireproof construction with a frontage of 100 ft. on Sixth avenue and 120 ft. on West 59th street; and thirty-two stories (375 ft. 6 in.) in height; that there has been erected upon the West 59th street front, and also upon the Sixth avenue front of the 31st story of the existing hotel, a metal and glass enclosure, approximately 8 ft. 2 in. in height; that wedge shaped area (approximately 3 ft. 6 in. by 8 ft. 2 in. on the Sixth avenue frontage and approximately 6 ft. by 8 ft. 2 in. on the West 59th street frontage of the building), of this glass enclosure extends above the permissible height or perimeter of the building at its plane level and that it is proposed to maintain this metal and glass enclosure, as shown upon the plans filed with this application; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the height and strict regulations of the zoning resolution and that the application be and it hereby is granted under section 21 thereof, to permit a continuation of the existing frame and glass enclosure, on condition that it shall not be extended; that this variance shall not be taken as a basis for the extension in height of the building in any other type of construction; that the present temporary character of the glass enclosure shall be maintained, as indicated on plans filed with the borough superintendent under Alt. Applic. No. 2357-36 or if not so shown, that adequate plans showing the existing construction and extent of the enclosure shall be filed; that the occupancy of this enclosure shall be during the summer months only; that the enclosure shall remain unheated; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that all permits required shall be obtained and all work completed within six (6) months from the date of this resolution.

41-42-BZ.

APPLICANT—Ferdinand Savignano, for Mae Feiola, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment.

PREMISES AFFECTED—19 Madison street, north side, 66 ft. 2 in. east of Oliver street (Block No. 279, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin Goodrich and Patsy Morace.

For Opposition: Robert San Angelo and G. Goldman, Board of Education.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (341-42-BZ)

WHEREAS, Ferdinand Savignano, for Mae Feiola, owner, filed April 24, 1942, an application under section 21 of the zoning resolution, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment; premises 59 Madison street, north side, 66 ft. 2 in. west of Oliver street (Block No. 279, Lot No. 31), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Madison street, Henry street and Oliver street are each in residence and retail use districts; Catherine street is in a retail use district; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2719-41, dated April 18, 1942, as amended July 31, 1942, reads:

"2. Proposed use of building as an undertaking establishment in a residence district is contrary to Secs. 6 & 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the existing building is of Class 3 construction, having a frontage of 21 ft. 1 in. and a depth of 104 ft. 6 in. and is two stories and basement in height and that it is proposed to convert the occupancy of the existing building to an undertaking establishment; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and is therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 2719-41, objection No. 2, be and it hereby is affirmed and that the application be and it hereby is denied.

353-42-BZ.

APPLICANT—Charles M. Lobejager, for Bulova Watch Company, owner.

SUBJECT—Application reopened September 22, 1942 (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection of a building, three (3) stories and basement in height, to be used for manufacturing in excess of the area permitted to be used for manufacturing in a business use district (previously permitted by the Board to be erected two (2) stories and basement in height).

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PREMISES AFFECTED—40-05 61st street, 40-06 62nd street, the south side of Woodside avenue, from 61st to 62nd streets (Block No. 1336, Lot Nos. 38, 41, 24 and 47), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Lobejager and Major R. P. Morris.

For Opposition: Henry Solomon, Mark M. Cooperman, Patrick Dolan, Fred Brigatti and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (353-42-BZ)

WHEREAS, Charles M. Lobejager, for Bulova Watch Company, owner, filed on April 28, 1942, an application under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a building to be occupied for factory use in excess of the area permitted by the zoning resolution; premises 40-05 61st street, 40-06 62nd street, and the south side of Woodside avenue from 61st to 62nd streets (Block No. 1336, Lot Nos. 38, 41, 44 and 47), Woodside, Borough of Queens; and

WHEREAS, this application was granted by the Board on June 2, 1942, on certain conditions, resolution amended on June 30, 1942, July 23, 1942 and applicant requested a further amendment of the resolution; and

WHEREAS, this application was reopened by vote of the Board on September 22, 1942 and set for hearing on October 14, 1942; and

WHEREAS, such reopening is for the purpose of considering a new decision of the borough superintendent, dated September 15, 1942, on N. B. Applic. 579-42, which reads:

"1. The proposed additional story for manufacturing use upon the factory building now under construction is contrary to the zone resolution of the Board of Standards and Appeals (Cal. No. 353-42-BZ) and also sect. 4c art. 2 of the Zone Resolution."

and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Woodside avenue is in a business use district and 61st street and 62nd street are in a residence and business use districts; and

WHEREAS, the proposed building will be three (3) stories and basement (46 ft. 7 in.) in height, 242 ft. by 62 ft. in area; of Class 6 construction; on a lot 242.83 ft. by 86.78 ft. in area, to be used and occupied as follows: Basement—lunchroom, kitchen, boiler room, loading platform, locker rooms, storage and packing space; first floor, factory, 300 persons; 2nd and 3rd floors, factory, 300 persons each; and

WHEREAS, the building as now proposed, will exceed the height of the building originally granted by the Board by one story; and

WHEREAS, the applicant contends that on August 15, 1942, the owners received a letter from the War Production Board requiring that manufacturing space be provided, so that approximately 750 female and 250 male employees could be utilized in the manufacture of the jewel bearings; that this number of employees is in excess of the number for which locker space had been provided in the building as previously granted by the Board; that additional locker space will destroy the use of the basement story for manu-

facturing; that the manufacturing process is through a sequence of units of employees who do progressive work on the jewels, which are cut by persons located at the north wall of the building, because a north light is essential in the work and the procedure of the work units is to the south of the row of employees at the north wall engaged in cutting the jewels; that this work procedure, owing to the broken available working space on the basement story, is not possible on such story and for this reason it is necessary to provide an additional story, as shown on diagrams filed with this application; that the area of the basement story which is permitted by the Board to be used for manufacturing purposes is 12,500 sq. ft.; that the approval of this permitted factory use to the proposed third story will provide approximately 14,500 sq. ft. for manufacturing; that the Board on June 30, 1942 permitted the increase in height of the building and the construction of the building as Class 6, showing the wood trusses and the necessary additional wall height to accommodate such trusses; that the owners have now succeeded in getting wood girders instead of steel trusses and therefore the height of the building proposed will be no higher than the height permitted for the wood truss design; that in view of the fact the plant is engaged in a defense project for the U. S. Government and in view of the circumstances herein stated, it is requested that the Board grant permission for the erection of the additional story; and

WHEREAS, the applicant has filed copy of a communication dated August 13, 1942, addressed to the owner and signed by the Chief of the Quartz and Jewels Section, Miscellaneous Minerals Branch of the W. P. B. in support of the application for the additional story;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension of use within the proposed building as proposed; *on condition* that such variance shall continue only during the term of the present emergency; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable; that the building shall be constructed and maintained, including the planting along Woodside avenue, substantially as proposed.

Resolved further, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 2, 1942, by adding thereto:

"that in the event the owner desires to construct this building of Class 6 construction throughout instead of Class 1 as proposed, the zoning variance herein permitted may also be deemed to apply and the window sash may be constructed of redwood frames and sash treated with fireproofing Class A treatment, provided that in all other respects the resolution shall be complied with."

Resolved further, that the Board of Standards and Appeals does hereby *amend* its resolution adopted by the Board on June 2, 1942, as amended by resolution adopted June 30, 1942, by adding thereto:

"That loading space shall be provided toward the southerly side opening from 61st street to accommodate two (2) trucks placed end to end, as indicated on revised plans marked "Received July 17, 1942"; that no show windows shall be installed on 61st street or 62nd street and only such exits as are required by the Labor Law, and as are shown on revised plans marked "Received July 17, 1942."

Resolved further, that the Board of Standards and Appeals does hereby *amend* the resolution adopted June 2, 1942 as amended June 30, 1942 and July 23, 1942 by adding thereto:

"that such building may be increased to a total height of three stories and basement as proposed ON CONDITION that it shall not be further increased in height or area; that the use of the building shall be in accordance with

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the proposals applying to the resolution as previously adopted on June 2, 1942; that in the event it is desired to occupy the building during the nighttime, an application for such permit shall be requested of this Board; that as protection to the adjoining owners, the windows as indicated on the rear shall be constructed of glass brick; that all permits shall be obtained and all work completed within six (6) months from the date of this amended resolution."

2-42-BZ.

APPLICANT—Frank Flinker, for Morris Feuigersch, owner (Standard Tex and Kalsomine Company, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7e of the zoning resolution, to permit in a business use district, for a term of two (2) years, the sale and display of paint with 25% of the floor area used for paint mixing.

PREMISES AFFECTED—2542 (2540 displayed) Atlantic avenue and 47 Williams avenue, southeast corner (Block No. 3683, Lot No. 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jack Fein.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner

Savage and Deputy Chief Murphy..... 3

Negative: Commissioner Blum..... 1

THE RESOLUTION (402-42-BZ)

WHEREAS, Frank Flinker, for Morris Feuigersch, owner (Standard Tex and Kalsomine Company, lessee), filed May 19, 1942, an application under section 7e of the zoning resolution, to permit in a business use district, for a term of two (2) years, the sale and display of paint with 25% of the floor area used for paint mixing; premises 2542 (2540 displayed) Atlantic avenue, and 47 Williams avenue, southeast corner (Block No. 3683, Lot No. 23), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Atlantic avenue and Fulton street are in a business use district; and Williams avenue and Alabama avenue are in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent, dated April 21, 1942, on Alt. Applic. No. 3435-41, reads:

"1. Proposed use of premises located within a business use district for the mixing of paint is considered contrary to Art. II, Section 4(25) of the zoning resolution and application is hereby denied."

WHEREAS, the existing building is one story (13 ft.) in height; having a frontage of 25 ft. on Atlantic avenue and 29 ft. 5 in. on Williams avenue; of Class 3 construction. It is proposed to convert the occupancy of the existing building to the sale and display of paints and also to use 25% of the floor area of the building for mixing paint; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the resolution, and that the application be and it hereby is granted under section 7e thereof, for a term of two (2) years, to permit the occupancy of the premises as proposed, on condition that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area; that the sidewalk adjoining the premises on Williams avenue shall be kept cleared and clean of all refuse; that a proper permit shall be obtained from the fire commissioner for the storage of varnoline as proposed; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

408-42-BZ.

APPLICANT—S. Walter Katz, for The Gerry Estates, Incorporated, owner (I. A. Management Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a building located in a restricted retail use district, a proposed occupancy of 25% manufacturing on the 2nd to 7th stories.

PREMISES AFFECTED—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: S. Walter Katz and John Leonard.

For Opposition: A. E. Crane and D. K. Miller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner

Blum and Deputy Chief Murphy..... 3

Negative: 0

Vote Reserved (with qualifications) Commissioner Savage: 1

THE RESOLUTION (408-42-BZ)

WHEREAS, S. Walter Katz for The Gerry Estates, Inc., owner (I. A. Management Corporation, lessee), filed on May 19, 1942, an application under section 21 of the zoning resolution, to permit in a building located in a restricted retail use district, a proposed occupancy of 25% manufacturing on the 2nd to 7th stories; premises 65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street, and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting October 14, 1942 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Madison avenue is in a residential retail district, East 27th street and East 28th street are in a restricted retail and business use district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 482-42, dated May 15, 1942, reads:

"1. Proposed occupancy of 25% manufacturing on 2nd to 7th floors is unlawful as the building is located in a restricted retail district and proposed occupancy is contrary to provisions of section 4b of Article II of building zone resolution."

and

WHEREAS, the applicant states that the existing building is of fireproof construction; seven stories and penthouse in height, with a frontage of 49 ft. 4 in. on Madison avenue, and 28 ft. 5 in. on East 27th street and a depth of 160 ft. from Madison avenue and 74 ft. 1 in. from East 27th

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street and irregular in area; that the present use of the building (according to the existing certificate of occupancy) is 1st story—stores; 2nd to 7th stories—offices and show rooms; that it proposed to use the 2nd to 7th stories for offices, show rooms and 25% manufacturing; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the building complies substantially with the requirements of the Labor Law and could have been approved as a factory building any time prior to change of zone in 1937; and

WHEREAS, the building has been occupied as a tenant factory according to the Fire Department records since 1934 and no violation has been served until recently; and

WHEREAS, the Board deemed the applicant had substantiated a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is granted under section 21 thereof, *on condition* that in all other respects the building and occupancy shall comply with the requirements of all laws, rules and regulations applicable thereto other than as modified under Cal. No. 401-42-S; that the requirements of the zoning resolution as to a restricted retail district shall be complied with, except that the space for factory purposes may be occupied as permitted in the business use district; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

673-42-A.

APPLICANT—Tobias Goldstone, for Rubar Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone and A. H. Cowan.

For Opposition: Benjamin Grindrod, Robert Weidmeyer and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 27, 1942 at 10 A. M., for further consideration by the Board.

401-42-S.

APPLICANT—S. Walter Katz, for The Gerry Estates, Incorporated, owner (I. A. Management Corporation, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: S. Walter Katz and John Leonard.

For Opposition: A. E. Crane and D. K. Miller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (401-42-S)

WHEREAS, S. Walter Katz, for The Gerry Estates, Inc., owner (I. A. Management Corp., lessee), filed on May 15,

1942, an application for variation of the requirements of the Labor Law affecting 65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated April 18, 1942, on Alt. Applic. No. 482-42, reads:

"2. All windows shall be fireproof and comply with provisions of Section 262 and 264 of Labor Law." and

WHEREAS, the applicant states that the building is seven stories (89 ft. 6 in.) in height; 49 ft. 4 in. by 100 ft. in area with an L running to East 27th street, 28 ft. 5 in. width, of Class 1 construction; located in a restricted retail use district; erected 1923 and used and occupied as follows: cellar, storage and boiler room, 15 persons; first floor, stores, 20 persons; second to seventh floors, inclusive, show rooms and offices, 30 persons each floor; pent house, room and tank house, 75 persons; and proposed to be used and occupied as follows: Cellar, same; first floor, same; second to seventh floors, inclusive, show rooms and office and 25 per cent manufacturing, 30 persons per floor; pent house, office, 10 persons; that the building is equipped with a sprinkler system, standpipe system and interior alarm system; that there are two 3 ft. 8 in. steel stairs enclosed in 6 in. terra cotta partitions equipped with fireproof self-closing doors and leading from roof bulkhead direct to street; and

WHEREAS, the applicant contends that the application question was filed with the borough superintendent for the change of occupancy from offices and show rooms to office show rooms, and 25% manufacturing; that the windows affected are those on each street front; that the large single pane of glass above the second floor is 3 ft. 4 in. by 3 ft. 4 in.; that on the second floor, the largest window is approximately 8 ft. by 8 ft. 6 in.; that the largest show window on the first floor is approximately 6 ft. 3 in. by 3 ft. 3 in.; that the first floor windows are glazed with 1/4 in. polished plate glass; that the windows above the first floor are glazed with double thick glass; that all frames and sashes are wood; that it would be a great hardship for the owner to be compelled to replace all windows with those having the maximum size legal lights.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Alt. Applic. No. 482-42, Objection No. 2, and that the application be and it hereby is *granted on condition* that in all other respects the building shall comply with all other requirements of the labor law and all other laws, rules and regulations, including the zoning resolution, other than as modified by the Board under Cal. No. 408-42-BZ; that the plans of the building shall be re-examined to determine that all requirements of all laws applicable are complied with; that the windows on the lot line shall be fireproof and self-closing, glazed with wire glass; that the windows on the street front shall be glazed with polished plate glass and the size of panes shall not be increased in area; that the standpipe, sprinkler and interior fire alarm systems shall be maintained to the satisfaction of the fire commissioner.

Adjourned: 12:50 P. M.

JOSEPH J. DOYLE, Chief Clerk

REGULAR MEETING

WEDNESDAY AFTERNOON, OCTOBER 14, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

1308-39-BZ.

APPLICANT—Louis Tiseo (lessee), for Manufacture Trust Company, as trustee, owner.

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SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Alfred Ekelman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1308-39-BZ)

WHEREAS, this application, under section 7h of the building zone resolution, to permit in a business use district for temporary period of not more than two (2) years the parking and storage of not more than five (5) motor vehicles; premises 32-14 31st street, west side, 130 ft. south of Broadway (Block No. 587, Lot No. 43), Astoria, Borough of Queens, was denied by the Board on May 21, 1940; and

WHEREAS, Louis Tiseo (lessee) for Manufacturers Trust Company as trustee, owner, requested reopening of the application on the basis of new facts; and

WHEREAS, the Board deemed that sufficient new facts were presented to justify a new hearing, and accordingly reopened the application on July 8, 1941, subject to usual procedure; and

WHEREAS, this application was granted by the Board on December 2, 1941, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted December 2, 1941, only in relation to the requirement that a certificate of occupancy shall be obtained before the premises are occupied, and to delete such clause reading:

"that the premises shall not be occupied for the use herein permitted until the certificate of occupancy has been obtained."

52-32-BZ.

APPLICANT—Stanley H. Klein, for Silgreen Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a term of ten (10) years, the maintenance of a gasoline service station.

PREMISES AFFECTED—208-16 Linden boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Simon Bernstein.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (562-32-BZ)

WHEREAS, this application, to permit in a business use district, under section 7f of the zoning resolution, the

erection and maintenance of a gasoline service station, premises 208-16 Linden boulevard, southwest corner of Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens, was granted by the Board March 21, 1933, on certain conditions, for a temporary period of five (5) years; the resolution amended November 19, 1940 also extending the permit for ten (10) years; time to obtain permits and complete work extended November 18, 1941 and resolution amended April 14, 1942; and

WHEREAS, the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted March 21, 1933, as amended through April 14, 1942, only so far as it has reference to obtaining permits and completion of the work, so that as amended this portion shall read:

"that all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

267-42-S.

APPLICANT—Sidney L. Strauss, for MacFarlane Fire Prevention Corporation, for Meyline Realty Corporation, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in orders and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Thos. A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to November 4, 1942 at 2 P. M. for applicant to file plans and calculations.

299-42-A.

APPLICANT—Sidney L. Strauss, for B. F. Keith Corporation, owner (The Linder Dental Laboratory, lessee).

SUBJECT—Appeal from an order of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to November 4, 1942 at 2 P. M. for applicant to submit plans.

439-42-A.

APPLICANT—15-17 West 84th Street, Incorporated, owner (Herman Mermeister, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—15 West 84th street, north side, 220 ft. west of Central Park West (Block No. 1198, Lot No. 23); (1st floor west—front room), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry C. Kane.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 20, 1942 at 2 P. M. for further consideration by the Board.

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624-42-S.

APPLICANT—Sidney L. Strauss, for B. F. Keith Corporation, owner (The Linder Dental Laboratory, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—1-7 DeKalb avenue, north side, Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 4, 1942 at 2 P. M., for applicant to submit plan.

644-42-A.

APPLICANT—Martyn N. Weinstein, for Brooklyn Jewish Home for Convalescents, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—601, 605 and 609 Beach 9th street, west side, 246.89 ft. south of Caffrey avenue (Block No. 111, Lot Nos. 20 and 3), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Martyn N. Weinstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 20, 1942 at 2 P. M. for further consideration by the Board.

679-42-A.

APPLICANT—Joe Salwen Paper Company (lessee) for Betsey Ann Fay Estate, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—405 East 4th street, north side, 200 ft. west of East River drive (Block No. 359, part of Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to October 20, 1942 at 2 P. M. for further consideration by the Board.

407-42-A.

APPLICANT—Arthur Weiser, for 28th Properties, Incorporated, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Arthur Weiser.

ACTION OF BOARD—Appeal reopened and restored to the Calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

598-42-A.

APPLICANT—Levine's New and Used Auto Parts, lessee, for Bronsther Realty Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—215 Shell road, east side, 225 ft. north of Circumferential parkway (Block No. 7232, Lot No. 70 and Block No. 7233, Lot Nos. 93 and 90), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

482-42-S.

APPLICANT—Frank C. Keller, for Ford Instrument Co. owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—31-10 Thompson avenue, south side, from 31st street to 31st place (Block No. 278, Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller and Rollin C. Caughey.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

THE RESOLUTION (482-42-S)

WHEREAS, Frank C. Keller, for the Ford Instrument Co. owner, filed on June 17, 1942, an application for variation of the requirements of the Labor Law as cited in an order and decision of the fire commissioner, affecting premises 31-10 Thompson avenue, south side, from 31st street to 31st place (Block No. 278, Lot No. 9), Long Island City, Borough of Queens; and

WHEREAS, Order No. 8354-LF issued by the fire commissioner March 25, 1942 and referred to in the decision of the fire commissioner dated June 15, 1942 reads:

"3. Arrange metal screens on all windows on all stories so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Section 272 of the Labor Law.

6. Arrange all doors so that same can be opened from both sides. Section 272 of the Labor Law.

7. Remove all partitions not built of incombustible material as per Section 263 and 270 of the Labor Law

and

WHEREAS, the applicant states that the building is stories (52 ft. 6 in.) in height, 199 ft. 11¾ in. by 440 ft. in. in area, of class 3 construction, located in an unrestricted use district, erected under N. B. Applic. 2711-19 and altered under Alt. Applic. No. 2931-40, and occupied since June 1942 as follows: cellar—manufacturing—457 persons; 1st floor—assembly—510 persons; 2nd floor—office and paint shop—171 persons; 3rd floor—office and spare parts—171 persons; 4th floor—office—150 persons; proposed to be occupied as follows: cellar—same—500 persons; 1st floor—same—650 persons; 2nd floor—same—220 persons; 3rd floor—same—160 persons; 4th floor—same—160 persons; that the building is equipped with a sprinkler system, stand pipe system, interior fire alarm system and fire drills are maintained; that there are five 46 in. fireproof stairs in the building leading from street to roof; that the building has been approved by the borough superintendent under Alt. Applic. No. 2931-40 for manufacturing and offices and for the proposed number of occupants, but no Certificate of Occupancy can be issued during the pendency of the order herein appealed; and

WHEREAS, the applicant contends as to Item 3 of the Fire Commissioner's order, that the locked screens are located on the first floor and basement as shown on plan filed with this application marked "Received August 1, 1942" and can be readily unlocked in case of emergency by a watchman who is on duty 24 hours a day; that the

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creens are kept locked by order of the Army and Navy prevent sabotage; and

WHEREAS, the applicant contends as to Item 6 of the e commissioner's order, that all doors leading to stair ls will be kept open during working hours, except the ors leading direct to street, which will be equipped with nic bolts of approved types, so as to prevent ingress om the street by order of the Army and Navy depart- ents; and

WHEREAS, the applicant contends as to Item 7 of the fire mmissioner's order, that permission is requested to con- ue the use of combustible partitions as shown on plans ed with this application marked "Received August 28, 42," as these partitions have existed since the building as first occupied; that a change now would greatly retard e production of essential war materials; and

WHEREAS, the applicant filed a copy of a communication om the War Department, containing the recommendations f the War Department relative to the matters herein ap- ealed.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor w, as cited in an order of the fire commissioner, Order o. 8354-LF, and that the application be and it hereby is *anted* as to Obj. 3, *on condition* that the screens shall be intained as proposed; that the existing exit doors shall continued; as to Obj. 6, that approved panic bolts may installed on such exit doors as are indicated to have nic bolts on plans filed with this application; as to Item that no additional partitions or incombustible materials all be erected and that all partitions of incombustible ma- rial not in compliance with the requirements of the Labor w shall be removed within two (2) years from the date this resolution; that the variance herein granted as to bjections 3 and 6 shall be only for the term of the present ergency and while the building is being occupied as herein forth; that it shall comply in all other respects with all ys, rules and regulations applicable thereto; that the rinkler system, standpipe system, interior fire alarm sys- n and fire drills shall be maintained to the satisfaction f the fire commissioner; that a certificate of occupancy all be obtained.

2-42-S.

APPLICANT—George Keister, for Henrietta Tankus, owner (Rapid Shoe Machine Manufacturing Com- pany, lessee).

SUBJECT—Variation of the labor law as cited in a deci- sion of the borough superintendent.

PREMISES AFFECTED—682 Sixth avenue, east side, 98 ft. 9 in. south of West 22nd street (Block No. 823, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Applicant: George Keister.

For Administration: Fred Dahlem, Dep't of Hous- ing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (542-42-S)

WHEREAS, George Keister for Henrietta Tankus, owner Rapid Shoe Machine Manufacturing Company, lessee), ed on July 6, 1942, an application for a variation of the requirements of the Labor Law as cited in the decision of e borough superintendent affecting premises 682 Sixth avenue, east side, 98 ft. 9 in. south of West 22nd street Block No. 823, Lot No. 4), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, ted June 27, 1942, on Alt. Applic. 828-42, reads:

1. Proposed non-fireproof balcony on first floor of fireproof factory building is contrary to provisions of Section 264 of the Labor Law."

WHEREAS, the applicant states that the building is eight stories (104 ft.) in height, 24 ft. 8¼ in. by 95 ft. in area at first floor, 24 ft. 8½ in. by 85 ft. in area at typical floor; of Class 1 construction; erected in 1897; located in an un- restricted use district and used and occupied since 1930 as follows: Cellar, building, plant and storage; first floor, re- pairing shoe machinery, 6 persons; second floor, offices and display of clothing trimmings, 2 persons; third floor, manu- facture of braid and trimmings, 3 persons; fourth floor, library and distributing warehouse, 3 persons; fifth floor, sign studio and manufacture of paper and cardboard signs, 1 person; sixth floor, display of dress findings, 3 persons; seventh floor, job printing, 9 persons; eighth floor, manu- facturing womens skirts, 14 persons; for which no certifi- cate of occupancy has been issued; that no change in use or occupancy is proposed; that the building is equipped with a standpipe system, one interior 3 ft. 1 in. stairs, constructed of iron and slate, enclosing in 4 in. terra cotta blocks, plastered on both sides, equipped with fireproof self-closing doors and one fire escape, located at the rear, which leads to roof by ladder and to grade by drop ladder in guides with egress from the termination at yard through No. 680 Sixth avenue; that windows on the course of the fire escape are kalamein sash glazed with wire glass; and

WHEREAS, it is proposed to legalize the existing non- fireproof mezzanine story as shown on plans filed with the borough superintendent under Alt. Applic. No. 828-1942; and

WHEREAS, the applicant contends that a variance of the requirements of the Labor Law is requested in view of the fact that the balcony as constructed, segregates the office from the machine shop and is occupied by only two persons; that the error in contracting for the installation of a non- fireproof balcony is not intentional; that by fire-retarding the present structure as proposed, the fire hazard will be reduced and the lessee will be saved the expense of and inconvenience of complying with the law; and

WHEREAS, Violation No. 1017-42, was issued February 5, 1942, for erecting a wooden mezzanine at first story in a fireproof building contrary to law; and

WHEREAS, an examination of plan filed June 16, 1942, with Alt. Applic. No. 828-1942, in the Department of Hous- ing and Buildings indicates that the mezzanine balcony will be located approximately 8 ft. above finished first floor and will extend across the building from the south wall to the existing 4 in. terra cotta block partition enclosing the primary means of egress, and will be approximately 20 ft. in depth commencing approximately 26 ft. east of the build- ing line, and that it is proposed to cover soffit of balcony and soffit of stairway with 26 gauge metal, including the stair jib; that all exposed wood work, including doors, jambs and trim will be covered with metal except finished floor of balcony and stair risers, treads and handrail.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Alt. Applic. No. 828-42, Objection No. 1, and that the application be and it hereby is *granted on condition* that the balcony as constructed shall not be increased in area; that the under side of balcony and stair shall be fire re- tarded as proposed, with metal or with asbestos or sheet rock or other material satisfactory to the borough superin- tendent; that in all other respects, the building and occu- pancy shall comply with all laws, rules and regulations ap- plicable thereto, other than as herein modified and as modi- fied under Cal. No. 543-42-A; that the standpipe system shall be maintained to the satisfaction of the fire commis- sioner; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that this balcony shall be used for office purposes only and shall meet the requirements for an office loading, but in no event less than 40 lbs. per superficial foot and shall be so posted.

543-42-A.

APPLICANT—George Keister, for Henrietta Tankus, owner (Rapid Shoe Machine Manufacturing Com- pany, lessee).

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SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—682 Sixth avenue, east side, 98 ft. 9 in. south of West 22nd street (Block No. 823, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Applicant: George Keister.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (543-42-A)

WHEREAS, George Keister for Henrietta Tankus, owner (Rapid Shoe Machine Manufacturing Company, lessee), filed on July 6, 1942, an appeal from a decision of the borough superintendent affecting premises 682 Sixth avenue, east side, 98 ft. 9 in. south of West 22nd street (Block No. 823, Lot No. 4), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated June 27, 1942, on Alt. Applic. No. 828-1942, reads:

"2. Use of wood beams less than 3" wide inside fire limits not permitted under Par. 7, of Section 7.1.4 of the Building Code."

and

WHEREAS, the applicant states that the building is eight stories (104 ft. in height, 24 ft. 8¼ in. by 95 ft. in area at first floor, 24 ft. 8¼ in. by 85 ft. in area at typical floor; of Class 1 construction; equipped with a standpipe system; erected 1897; located in an unrestricted use district and occupied since 1930 as follows: cellar, building, plant and storage; first floor, repairing shoe machinery, 6 persons; second floor, offices and display of clothing trimmings, 2 persons; third floor, manufacture of braid and trimmings, 3 persons; fourth floor, library and distributing warehouse, 3 persons; fifth floor, sign studio and manufacture of paper and cardboard signs, 1 person; sixth floor, display of dress findings, 3 persons; seventh floor, job printing, 9 persons; eighth floor, manufacturing women's skirts, 14 persons, for which no certificate of occupancy has been issued; and

WHEREAS, Violation No. 1017-42, was issued February 5, 1942, for erecting a wooden mezzanine at first story in a fireproof building contrary to law; and

WHEREAS, this appeal is filed for variation of the provisions of the building code so as to legalize the existing mezzanine story described under Cal. No. 542-42-S; and

WHEREAS, the applicant requests permission for the 2 in. by 6 in. floor beams to remain as the load is very light and the spans are short, one span is 7 ft. 10 in., the other spans 5 ft. 6 in. each and that the total height of the first story is only 15 ft. 10 in.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 828-42, Objection No. 2, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the requirements of the resolution adopted by the Board this day under Cal. No. 542-42-S shall be complied with.

606-42-A.

APPLICANT—Matthew W. Del Gaudio, for Richmond H. Shreve, for Metropolitan Life Insurance Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—2020 East Tremont avenue, south side, 963.81 ft. east of Unionport road (Block No. 3944, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Theodore Mazza.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (606-42-A)

WHEREAS, Matthew W. Del Gaudio, for Richmond H. Shreve, Metropolitan Life Insurance Co., owner, filed August 4, 1942, an appeal from a decision of the acting borough superintendent, affecting premises 2020 East Tremont avenue south side, 963.81 ft. east of Unionport road (Block No. 3944, Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, re F. P. Applic. 103-42, dated July 10, 1942, reads:

"1: Storage of gasoline in cellar contrary to Fire Department practice. C19.11.0 Adm. Code.

2: Provide separate fireproof passageway to outside air from enclosed space for inflammable occupancy, stated.

3: Separate inflammable occupancy from boiler room. C19.11.0 Adm. Code.

4: Show adequate ventilation equivalent to garage ventilation as required by Building Code, Art. C19.11. Adm. Code.

5: Equipment of type indicated should be approved by Board of Standards and Appeals. Sec. 666, City Charter."

and

WHEREAS, the building is one story (64 ft. 10 in.) in height, 178 ft. by 76 ft. in area, on a lot 178 ft. by 368 ft. and 238 ft., irregular, in area; of Class 1 construction erected in 1941; located in an unrestricted district and occupied: Cellar, boiler room, 5 persons; 1st floor, boiler room and office, 5 persons; mezzanine, boiler room, 5 persons; and

WHEREAS, it is proposed to install a 100 h.p. gasoline driven generator to generate 100 k.w. of electricity, so as to furnish power for the operation of oil burners under boilers; and

WHEREAS, the applicant contends that in the event of complete blackout or other emergency, where power will be unavailable from outside sources, this emergency power will also be used to operate the siren located on the roof of the powerhouse; that the installation will generate enough electricity to operate the motors of the burner for approximately 30 minutes, using 5 gallons of gasoline contained in a tank integral with the motor; that in the event of a blackout or emergency lasting more than 3 minutes, the supply of gasoline can be replenished in the said integral tank by means of a 5-gallon safety can of approved type; that the gasoline storage is outside the building and is not in question in this appeal; that it is not intended that any gasoline be stored in cellar, except that five gallons will be contained in the tank, integral with the motor; that the only available space for the location of the proposed generator, is at the north wall of the cellar, the providing of a fireproof passage from the outside air through cellar to said motor is impractical; that since there is no open flame or spark in cellar, the providing of fireproof passage becomes an unnecessary hardship; that the boiler room is on the 1st floor and the cellar is used for water tank, pumps, steam mains, switch boards, tool benches, etc., in connection with boiler plant; that the proposed installation does not constitute inflammable occupancy, and therefore, the placing of motor in an enclosed space would be an unnecessary hardship, as the exhaust from installation will be conveyed by duct to outer air; that as it is proposed to keep entire cellar open, the present ventilation will not be reduced, and cellar will be ventilated, to a great degree than required for garage ventilation; that to provide additional ventilation would be an unnecessary hardship because of the emergency and temporary use of the proposed installation; that the electric generator proposed

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an enclosed self-contained motor, and as previously stated, is for emergency use only.

Resolved, that the decision of the borough superintendent acting on F. P. Applic. 103-42, Objections 1 to 5 inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the equipment shall be installed substantially as proposed; that the gasoline tank shall not contain more than 5 gallons and it shall be installed at or near the motor with a flexible tube and with a shut-off valve therefrom to the motor; that such gasoline tank shall be filled only from a safety can with gasoline brought in from the outside of the building and normally kept closed; that this modification may be continued only during the term of the present emergency; that the generator shall be used only for the purpose as proposed; that this modification shall not be taken to constitute a general approval; that the manufacturer shall file with the Board an application for approval of this type of equipment and that such portable fire fighting appliance shall be maintained as the Fire Commissioner shall direct.

638-42-A.

APPLICANT—Sidney L. Strauss, for General Bronze Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

REMISES AFFECTED—43-06 38th street and south side of 43rd avenue (Foster avenue), between 37th and 38th streets (Block No. 220, Lot No. 25), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (638-42-A)

WHEREAS, Sidney L. Strauss, for General Bronze Corporation, owner, filed August 24, 1942, an appeal from a decision of the borough superintendent affecting 43-06 38th street, south side of 43rd avenue (Foster avenue), between 37th and 38th streets (Block No. 220, Lot No. 25), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated August 12, 1942, on Misc. Applic. No. 4389-42, reads:

"1: Building must be used exclusively for the storage of calcium carbide. Such building shall be constructed to be dry, waterproof and mechanically ventilated, and shall be located outside congested mercantile or manufacturing districts. C19-88.0, Adm. Code.

2. The storage of spraying materials may not be in excess of 200 gallons and shall conform to the provisions of Rule 6.1.3 and 6.2, Board of Standards and Appeals. Cal. 353-30-SR."

WHEREAS, the applicant states that the building is two stories (26 ft.) in height, 200 ft. by 115 ft. in area; of Class 3 construction, equipped with a sprinkler system; located in an unrestricted use district; erected 1915 and used—first floor, factory, 40 persons, second floor, factory, 10 persons; and

WHEREAS, the applicant states that it is proposed to erect concrete block wall and concrete slab, forming a separate compartment in present storage building, which will be used for the storage of combustibles; that the storage building is approximately 12 ft. by 7 ft. 7½ in. in area; 13 ft. in height; that it is proposed to install new 8 in. concrete slab and 8 in. concrete slab wall, the slab to be located approximately 6 ft. 1 in. above floor level, to form a compartment, 3 ft. 8 in. wide, 5 ft. 6 in. high, of fireproof

construction, vented through the roof by a new 12 in. Liberty ventilator with access to the compartment from the exterior by means of a 2 ft. 8 in. door and a fixed iron ladder with hand rail, all as shown on plans filed with the borough superintendent August 10, 1942, on Misc. Application No. 4389-42; that compartment No. 1 will be used for the storage of calcium carbide, packed in I.C.C. containers; a total of 2,000 lbs. calcium carbide will be stored; that compartment No. 2 will be used for storage of the following materials: 500 gallons paint, 10 gallons thinners, 75 gallons kerosene, 10 gallons turpentine, 10 gallons gasoline, 250 gallons machine oil, 55 gallons paint solvents, 10 gallons naphtha, 10 gallons lacquer, 18 cylinders oxygen, 4 carboys nitric acid, 6 carboys sulphuric acid, 2 carboys muriatic acid, 2 carboys soldering acid; that all of these materials total more than 200 gallons of spraying material, as provided by the Rules of the Board of Standards and Appeals for storage and spraying of paint; that all other requirements of Chapter 19 of the Administrative Code and the Rules of the Board will be complied with; that the premises are used entirely in connection with the War effort and the additional storage requested is necessary for the conduct of the business of producing war materials.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 4389-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the space proposed for storage of calcium carbide shall be constructed substantially as indicated on plans filed and shall be well ventilated by means of downwardly pointing goose neck vent extending from near the floor of such compartment to the outer air, and a goose neck exhaust near the ceiling in lieu of 12 in. Liberty ventilators; and as to Objection No. 2, that the storage of spraying materials shall not exceed the amount set forth; that the room shall be constructed as shown on plans filed with the borough superintendent under Misc. Applic. No. 4389-42; that there shall be constructed in the roof a ventilator, as indicated, having an opening of not less than 100 sq. in.; that the door to the paint storage room shall be equipped with fixed louvres for ventilation within 6 in. of the floor; that the sprinkler system in the adjoining building shall be continued into such paint storage room, but shall be omitted in the compartment for the storage of calcium carbide.

642-42-A.

APPLICANT—Sidney L. Strauss, for Esther Ballas, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—71 Hudson street, west side, 60 ft. 8 in. north of Jay street (6th floor); (Block No. 180, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (642-42-A)

WHEREAS, Sidney L. Strauss, for Esther Ballas, owner, filed August 31, 1942, an appeal from a decision of the borough superintendent, affecting premises 71 Hudson street, west side, 60 ft. 8 in. north of Jay street (6th floor); (Block No. 180, Lot No. 3), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated August 22, 1942, on Alt. Applic. 193-42, dated August 22, 1942, reads:

"29. The passageway on 6th floor connecting the stairs and fire escape may not be omitted. (Sec. 6.4.11k2) Reconsideration denied."

and

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WHEREAS, the applicant states that the building is six stories, cellar and mezzanine (84.5 ft.) in height; 25 ft. by 93 ft. in area; of Class 3 construction; erected approximately 1900, located in an unrestricted use A area district and used as follows: Cellar, storage; first floor, warehouse; second floor, warehouse; third to sixth mezzanine story, vacant; that it is proposed to be used and occupied as follows: Cellar, storage; first floor, storage and shipping, 6 persons; second floor, office and storage, 8 persons; third floor, factory, storage and office, 17 persons; fourth floor, factory, 12 persons; fifth floor, factory 30 persons; sixth floor, factory, 5 persons; sixth mezzanine, storage; and

WHEREAS, the applicant contends that notwithstanding the fact that the Labor Law makes provision for the termination of an interior stair where safe egress is not available from the roof, the Building Code, Section 6.4.1.1k2, makes requirements where the roof of the structure is sloped, as it is in this case; that in a building of this type, a fire resistive stair enclosure would be acceptable; that the stair in question is of fireproof construction for the entire height; that the building faces on two streets and has a Labor Law fire escape extending to the street; that all windows on the course of the fire escape are fireproof self-closing; that although the sixth floor is vacant, it will be rented only to a single tenant so that clear aisle space can be maintained at all times between the interior stair and the fire escape; that should a passage way be required, it will affect available floor area on the 6th floor; that in view of the fact that the interior stairway is fireproof enclosed, it is requested a modification be granted to eliminate the requirements for the passageway.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 193-42, Objection No. 29, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the passageway on the sixth floor, as shown on plans filed under Alt. Applic. 193-42, for compliance with the Code provision to furnish a connection between the interior stairs and the exterior fire escape may be omitted, provided the sixth or top floor and the sixth floor mezzanine are left entirely vacant with no occupancy whatever; that at all times, the stairway doors shall remain openable for free access thereto, and also the windows along the course of the fire escape; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the building shall not be increased in height or area.

715-42-A.

APPLICANT—John M. Baker, for Huntervan Realty Corporation, owner (International Diesel Electric Company, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—11-49 44th road, north side, 89 ft. 8½ in. west of 21st street and 13-02 44th avenue (Block No. 446, Lot No. 10), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John M. Baker.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (715-42-A).

WHEREAS, John M. Baker, for Huntervan Realty Corp., owner (International Diesel Electric Co., Inc., lessee), filed on October 1, 1942, an appeal from a decision of the borough superintendent affecting premises 11-49 44th road, north side, 89 ft. 8½ in. west of 21st street and 13-02 44th

avenue (Block No. 446, Lot No. 10), Long Island City Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 4282-42, dated August 4, 1942, reconsideration denied September 29, 1942, reads:

"2. The proposed storage and use in a factory of gasoline and fuel oil in connection with the testing of Diesel engines is contrary to the provisions of C12-11, Adm. Code."

and

WHEREAS, applicant states that the building will be one and two stories (50 ft. and 24 ft.) in height, 200 ft. by 200 ft. in area, of class 5 construction, equipped with standpipe system and located in an unrestricted use district occupied: cellar—boiler room; 1st floor—cut stone; proposed to be occupied: cellar—same; 1st floor—manufacturing and office—140 persons; 2nd floor—office—34 persons; and

WHEREAS, Violation 852-42 was issued June 1, 1942 for changing the use from stone shed to factory without obtaining a Certificate of Occupancy for the new use; and

WHEREAS, the applicant contends that Buildings B and C were erected in 1912, the two story office building, 25 ft. by 55 ft. in area, erected in 1926 and Building A, which is the portion of premises affected by this appeal, was erected in 1930; that the two story office building and Building C is proposed to be extended under Alt. Applic. 164-42, as shown on diagram filed with this appeal marked "Received October 1, 1942"; that Building A is class 5 construction, steel frame and roof trusses, steel girts and purlins, surfaced on the exterior walls with corrugated transite; the bottom chord of trusses is 43 ft. 6 in. above floor; Building C is constructed of heavy timber frame wood trusses, steel channel girts on outside walls and corrugated transite siding; that the bottom chord of truss is 34 ft. 4 in. above floor; that Building C is constructed of heavy timber posts and girders, wood room beams, 12 in. brick and concrete exterior walls on the north side and corrugated transite siding on steel channels on east and west walls; that floors throughout are 5 in. concrete, except the two story brick office building which is constructed of 12 in. brick walls, wood floor beams and complies with the Code for class S construction; that the premises have been leased for the purpose of manufacturing and assembling power units for the Army and Navy; that the great height and area of sections A and B together with the existing equipment of two 20 ton travelling cranes one in each section afford a great advantage for the demand of increased and speedy production; that it is proposed to install a 1500 gallon fuel oil tank buried two feet below lower level of floor from which suction and return line will run to an auxiliary 60 gallon tank located about 40 ft. from the buried tank equipped with Teesdale, or equal, pump and equipped with all necessary check valves and shut-off valves in accordance with the requirements of the Oil Burner Rules of the Board and as shown on plans filed with this appeal marked "Received October 9, 1942"; that it is also proposed to install two 550 gallon gasoline tanks, two below floor level encased in 12 in. concrete in accordance with the requirements of the Administrative Code; that approved type inside gasoline pump will be provided front wall as shown on plans filed with this appeal and gasoline will be transferred from the approved pump to approved 50 gallon portable dispensers from which gasoline will be transferred in small quantities to the engines of the power units to be operated; that the oil tanks, fill line suction and return and vent lines will be installed in accordance with the Oil Burner Rules and chemical fire extinguishing equipment will be installed, as may be required by the Fire Department; that any welding done on the premises, will be as remote as possible from the gasoline and fuel oil tanks and dispensing lines of same; that the use of gasoline and fuel oil will be conducted only in Buildings A and B which are of such large area and height that hazards will be reduced to a minimum.

Resolved, that the decision of the borough superintendent

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on Misc. Applic. No. 4282-42, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the gasoline and fuel oil tank shall be installed in locations and substantially as indicated on plans filed with this appeal; that the tanks for fuel oil and gasoline shall comply with the requirements therefor; that all welding on the premises shall be carried on as remote as possible from such storage tanks and the dispensing lines; that a certificate of fitness shall be obtained by the person in charge of the dispensing of the gasoline; that this modification shall continue only during the term of the present emergency; that the construction of the building shall be maintained substantially as proposed; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that such portable fire fighting appliances shall be maintained as the commissioner shall direct.

728-42-A.

APPLICANT—Joseph H. Davis, for Crane Company, owner (contractual owner, Economics Laboratories, Incorporated).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1075 Irving avenue, northeast corner of Schaeffer street (Block No. 3541, Lot No. 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Joseph H. Davis, M. J. Osborn and James Hill.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (728-42-A)

WHEREAS, Joseph H. Davis, owner (contractual owner, Economics Laboratories, Incorporated), for Crane Company, filed October 9, 1942, an appeal from a decision of the borough superintendent, affecting premises 1075 Irving avenue, northeast corner of Schaeffer street (Block No. 3541, Lot No. 7), Ridgewood, Borough of Queens; and

WHEREAS, the decision of the borough superintendent re Alt. Applic. No. 1788-42, dated October 9, 1942, reads:

"1. Building required to be fireproof, fireproof requirement waived for original use as a warehouse by superintendent J. W. Moore. See Sect. 4.2.1 of Building Code.

7. Propose loading tower of frame construction—construction contrary to Sect. 10.12.1 of Building Code."

and WHEREAS, the applicant states that the building is one story, (16 ft.) in height, approximately 263 ft. by 85 ft. in area on a lot 276.28 ft. by 85.07 ft. in area; of Class 6 construction; erected in 1920; located in a business use district; occupied: Cellar, boiler room, 1 person; 1st floor, storage of pipes and fittings; proposed to be occupied: Cellar, same; 1st floor, manufacturing and storage of chemical compounds, 12 persons; and

WHEREAS, it is proposed to alter the building by installing new toilets, dressing rooms, etc. for employees as required by the Labor Law, by providing additional exits as required by the borough superintendent and to construct a frame loading tower 20 ft. by 21 ft. 6 in. in area, approximately 32 ft. 10 in. in height above roof to contain steel gravity tanks of approximately 25 tons capacity each and to occupy the building for the manufacturing and storage of dry chemical cleaning compounds to fill defense requirements for the Army and Navy; and

WHEREAS, the applicant contends that the steel gravity tanks will contain combined tri-sodium phosphate, sodium metasilicate and dense soda ash, which will be fed by

gravity to packing machines located below the tanks; that the tanks will be supported on steel on concrete footings; that the loading tower will be supported on heavy weight Lally columns and will be constructed of 6 in. by 6 in. corner posts, 2 in. by 6 in. studs with diagonal sheathing, outside and surfaced with incombustible material; that the roof of the tower will be constructed of 2 in. by 8 in. wood rafters, 7/8 in. boards surfaced with incombustible material; that the side walls will have spaces between studs filled with rock wool batts to a thickness of 3 in. and diagonal sheathing will be placed on inside of studding; that the tower will be ventilated by means of wind driven rotary ventilator on the roof; that the ceiling will be filled with 3 in. rock wool batts between rafters and will be surfaced on the under side with 3/4 in. gypsum board or sheet rock; that it is requested that the Board grant a modification of the requirements of Section C26-254.0 of the Administrative Code and Section 10.12.1 of the Building Code, so as to permit the use of the building of non-fireproof construction of an area in excess of that permitted for the proposed use and to permit the erection of the frame loading tower, in view of the fact that the materials are not available for the construction of a loading tower in compliance with the requirements of the Administrative Code; that the unavailability of steel for the support of the structure would cause installation of masonry supports of such dimensions as to interfere with the production of the war materials on the first story; that the proposed load of Class 4 construction can be carried on Lally columns which will occupy no greater area on the first story than the existing 8 in. by 8 in. long leaf yellow pine wood posts; that the tower has been so designed as to be a reasonable substitute for incombustible construction and it is the desire of the new owner to install such additional safeguards as the Board may direct; that acceptance of the existing construction for the main building is requested, in view of the fact that the occupancy proposed is no more hazardous than that permitted under the original new building approval; that the portion of the building formerly occupied as a garage, will be limited to loading platform use and is separated from the balance of the building by fire walls equipped with self-closing opening protective assemblies as originally installed; that the unsubdivided area of the first floor will be approximately 20,000 sq. ft.; that the building is located on two street fronts and in addition thereto, adjoins the Long Island Railroad right of way on the north side, which is available for Fire Department access, and if figured as a building of three street fronts under present Building Code, would be constructed to a height of three stories or 40 ft. and an area of 17,500 sq. ft., whereas the building is only 16 ft. in height and only exceeds the allowable area by 2500 sq. ft. for a building on three street fronts, it is requested that the Board accept the proposed manufacturing and storage use in the building, which was previously permitted by the Building Department to be erected for storage use only; especially in view of the fact that the manufacturing proposed will occupy less than 10% of the floor area; and

WHEREAS, the building is of Class 3 construction.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1788-42, Objection Nos. 1 and 7, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the building shall be occupied substantially as proposed with not more than 10 per cent of the floor space, occupied for manufacturing purposes, toward the center of the building and adjacent to the proposed tower; that the balance of the building shall be occupied for the storage of the products; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that this modification shall continue only for a term of two (2) years, and shall be subject to review by this Board for considering the requirement that additional fire fighting appliances shall be installed, if determined necessary; that during the term of this modification, no material requiring the issuance by the Fire Com-

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missioner for combustible or inflammable occupancy shall be stored; that the exterior of the tower shall be surfaced with asbestos shingles or some other incombustible material satisfactory to the borough superintendent; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

234-42-A.

APPLICANT—Joseph Kleinberger, for 11 West 42nd Street, Incorporated, lessee.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from decisions re order of the fire commissioner.

PREMISES AFFECTED—11-27 West 42nd street, north side, 208 ft. 4 in. west of Fifth avenue and 18-30 West 43rd street (Block No. 1258, Lot No. 21); (Rooms 760, 761 and 762), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Kleinberger.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (234-42-A)

WHEREAS, Joseph Kleinberger, for 11 West 42nd Street, Incorporated, lessee, filed on March 20, 1942 an appeal from decisions re an order of the fire commissioner; premises 11-27 West 42nd street, north side, 208 ft. 4 in. west of Fifth avenue and 18-30 West 43rd street (Block No. 1258, Lot No. 21); (Rooms 760, 761 and 762), Borough of Manhattan; and

WHEREAS, this appeal was granted by the Board on April 17, 1942, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted April 17, 1942, as to the steel cabinet, so that as amended this portion of the resolution shall read:

"that any films not being processed shall be stored in a steel container of a type approved by the Interstate Commerce Commission under No. ICC-32-A of the approximate size 9½ in. by 11 in. and 10½ in. high, made of heavy gauge metal with hinged cover and locking device; that the amount of film stored shall not exceed fifteen per cent. of nitro film."

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

591-38-SA.

APPLICANT—A. J. Lindemann and Hoverson Co., owners.

SUBJECT—Kerogas Circulating Oil Burning Heater, Pot Type, Models 308A-2, 310A-2, 315A, 320A-2, 325A, 330A-2 and 335A-2, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

592-38-SA.

APPLICANT—A. J. Lindemann and Hoverson Co., owners.

SUBJECT—Kerogas Radiant Oil Burning Heater, Pot Type, Models 300A-2, 301A-2, 304A-2, 305A-2, 302A-2 and 303A-2, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

254-41-SM.

APPLICANT—The Robinson Clay Product Co., owner.

SUBJECT—Lap-Lok Vitrified Clay Wall Coping, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

21-36-SA.

APPLICANT—Herco Oil Burner Corporation, owner.

SUBJECT—Herco Oil Burner, Model P-5, approval of (reopened June 4, 1940 re amendment of resolution to include approval of this model).

APPEARANCES—

For Applicant: F. E. Herr.

ACTION OF BOARD—Resolution amended in accordance with a report of Committee on Tests.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (21-36-SA)

WHEREAS, the Herco Oil Burner Corporation, owner filed on January 28, 1936, an application with the Board of Standards and Appeals for approval of the appliance known as the Herco Oil Burner, Models R-15 and R-35; and

WHEREAS, this appliance was approved by the Board on March 31, 1936; and

WHEREAS, on subsequent dates, the Board has approved the marketing of this burner under various other trade names; and

WHEREAS, the applicant has requested an amendment of the resolution, to include the approval of the Herco Oil Burner, Model P-5; and

WHEREAS, this application was reopened by vote of the Board on June 4, 1940 and referred to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests of the Board reads as follows:

REPORT OF COMMITTEE ON TESTS.

September 24, 1942.

Re: Cal. No. 21-36-SA.

Subject: Correction of the Resolution to include approval of Model P-5.

Under date of March 31, 1936, the Board of Standards and Appeals approved the Herco Oil Burner, Model R-15 and R-35; on May 26, 1936, the Board permitted the marketing of this burner as the Shur-Heat Burner Models R-15 and R-35, Paragon Oil Burner, Model R-15 and R-35, and Public Service Oil Burner, Model R-15 and R-35. On June 14, 1938, the resolution was amended to indicate approval of additional models Models F, P-15, P-35, P-50, J-5, J-10, S-20 and S-40. On January 31, 1939, the resolution was amended to

MINUTES

permit marketing as the Friar Oil Burner, Models R-18 and R-38, and on November 14, 1939 the resolution was amended to permit marketing of Model J-5 as the Rockville Oil Burner, Model 58. In the report no mention was made of Model P-5, the approval of which had also been requested but was overlooked. This Model P-5 is identical with Model P-15 and P-35, except that P-5 has a capacity of $\frac{3}{4}$ to $1\frac{1}{4}$ gallon per hour, while P-15 capacity is 1 to 3 gallons per hour. Model P-5 has been approved by the Underwriter's Laboratories, Guide No. 300 10.4, File MP452.

It is recommended that the resolution be amended to include the approval of Model P-5.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

WHEREAS, this report recommended approval of the resolution and the approval of the Herco Oil Burner, Model

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of March 31, 1936 and does hereby approve the appliance known as the Herco Oil Burner, Model P-5, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

193-41-SM.

APPLICANT—David E. Kennedy, Inc., owner.

SUBJECT—Kencoustic, approval of.

APPEARANCES—

For Applicant: Samuel Bomal.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

RESOLUTION (295-41-SM)

WHEREAS, David E. Kennedy, Inc., owner, filed on April 1941, an application with the Board of Standards and Appeals for approval of the material known as Kencoustic;

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 9, 1942.

Re: Cal. No. 295-41-SM.

Subject: Kencoustic, approval of.

David E. Kennedy, Inc. of Brooklyn, New York, filed on April 8, 1941 with the Board of Standards and Appeals an application under the requirements of Section C26-178.0b of the Administrative Building Code, for approval of its material known as Kencoustic as an acoustical tile for use in New York City under the pertinent provisions of the Administrative Code.

Kencoustic is manufactured at the applicant's plant in Brooklyn, New York, of ground cork held together by the natural gum of the cork. The cork is compressed in steel molds under a pressure of approximately 1800 lbs. p.s.i. After the cork is compressed in the mould, steel pins hold the slab in place. The slab is then passed through an oven heated by oil—the slab staying in the oven approximately six hours, the tem-

perature being approximately 560° F. After the mould material leaves the oven the slab is removed and fabricated into its ultimate size. Standard thicknesses are one inch and one and a half inches; size of slab is 18 in. by 36 in. from which the tiles are cut to the required sizes, such as 6 in. by 6 in., 9 in. by 9 in., etc. as required. The surface is then sanded and the edges are usually bevelled. Where colored finishes are desired, casein paint is applied in two coats at the factory by means of a pressure spray.

Kencoustic is installed by cementing the tile to walls and ceilings with approved acoustical cement or it may be erected to furring strips by nailing through one of the holes or pock marks provided by the surface. Toenailing is recommended wherever possible.

Samples of Kencoustic tile were submitted to the National Bureau of Standards of the U. S. Department of Commerce (Report dated March 1, 1938) to be tested for sound absorption. The samples made up a panel of 72 sq. in., each tile being 12" x 18" x $1\frac{1}{2}$ " thick, weighing .98 pounds p.s.f. For the test, the tiles were cemented to gypsum wallboard. The results are as follows:

Frequency	Coefficient of sound absorption
128	.09
256	.16
512	.66
1024	.64
2048	.50
4096	.50
Noise Coefficient	.50

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval, under Section C26-191.0 of the Administrative Code, of Kencoustic as acoustical material for use in New York City under the pertinent provisions of the Administrative Code. This material may not be used where combustible materials are prohibited until test data meeting the requirements of C26-88.0 is submitted to the Board. The Committee further recommends that each package or container of acoustical materials, for use in New York City, be marked, stamped or labeled "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 295-41-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Kencoustic, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

193-42-SA.

APPLICANT—Elevator Supplies Company, Incorporated, owner.

SUBJECT—E. S. Emergency Release Switch, approval of.

APPEARANCES—

For Applicant: F. S. Quinn.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

MINUTES

THE RESOLUTION (193-42-SA)

WHEREAS, the Elevator Supplies Co. Inc., owner, filed on March 10, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the E.S. Emergency Release Switch; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 9, 1942.

Re: Cal. No. 193-42-SA

Subject: ES Emergency Release Switch, approval of.

The Elevator Supplies Company, Inc., of New York, N. Y., filed on March 10, 1942 with the Board of Standards and Appeals an application under the requirements of Section C26-178.0b of the Administrative Code, for approval of its appliance known as the ES Emergency Release Switch for use in New York City under the pertinent provisions of the Administrative Code.

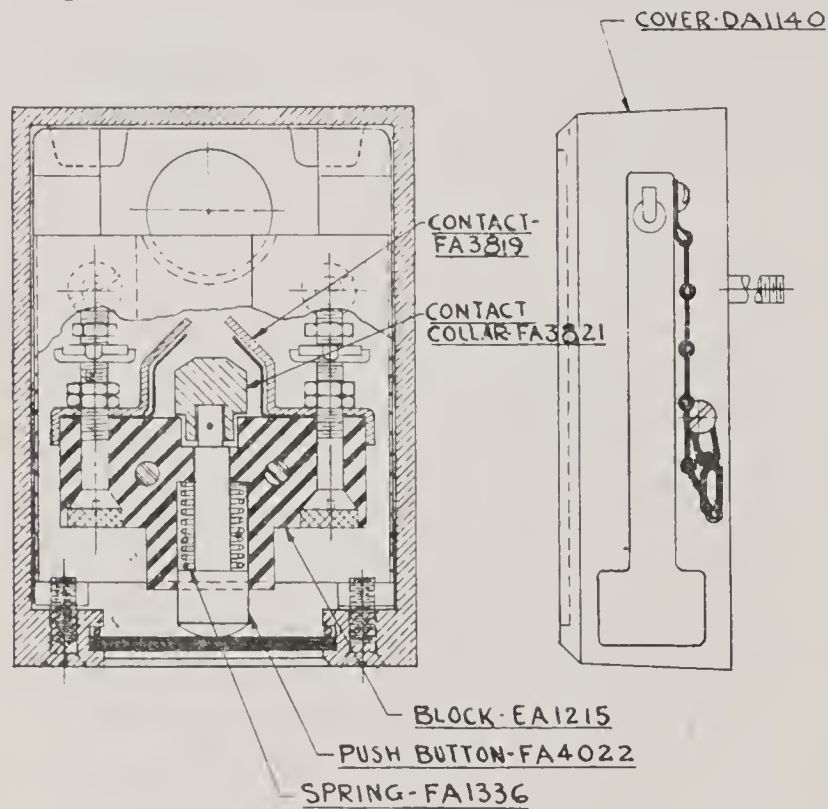


Fig. 1

The ES Emergency Release Switch (Fig. 1) consists essentially of two copper contacts, FA-3819, mounted on insulated mounting block EA-1215. A copper contact collar FA-3821, attached to the push button FA-4022, is arranged to make contact with the contacts, FA-3819 when pressure is applied to the push button, thus completing the emergency control circuit. In the normal open position contact collar FA-3821, is held approximately 3/16" from each of the contacts FA-3819, by the compression spring, FA-1336. The mounting block EA-1215, is attached to a sheet iron plate. Between the mounting block and the iron plate to which it is attached is a sheet of paper insulation which folds over the front of the contact assembly to provide insulation between the contacts and the box or cover, DA-1140, in which the contact assembly is mounted. The front face of the cover carries the name-plate data, "E.S. Emergency Release Switch, Part Number DA-1141, Elevator Supplies Company, Inc., Rahway, N. J." The overall dimensions of the switch box is 3 7/8" x 2 3/4" x 1 1/4". In the bottom edge of the cover is a glass panel. In order to operate the switch it is necessary to break the glass with a small hammer attached to the switch cover by a chain and to apply continuous pressure to the push button, FA-4022, thus completing the emergency circuit. The emergency

switch is hooked into the elevator interlock circuit such a way that the completing of the emergency circuit as described above will by-pass the interlock switches and permit the elevator to run as long as pressure is applied to the push button.

The ES Emergency Release Switch was tested at the Civil Engineering Testing Laboratories of Columbia University (Report No. E-9) for compliance with the requirements of service as provided in Section C26-924.0 of the Administrative Code with results as follows:

1. A 60 cycle sine wave voltage of 1600 volts (2300 plus 1000) r.m.s. value was impressed for one minute between the two contacts FA-3819, with the contact collar FA-3821 in the normal open position.

2. All contacts were connected together by applying pressure to the push button, and a 60 cycle voltage of 1600 volts r.m.s. value impressed for one minute between the contacts and the box.

No failure of the insulation occurred during any of the tests specified and no defects in the insulation were apparent during the tests nor were any detected by examination after the tests.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval, under Section C26-191.0 of the Administrative Code of the ES Emergency Release Switch as meeting the requirements of Section C26-924.0 for use in New York City under the pertinent provisions of the Administrative Code. The Committee further recommends that to the wording already on the cover there shall be added "Approved by the Board of Standards and Appeals under Cal. No. 193-42-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests

and

WHEREAS, this report recommended the approval of the appliance.

Resolved, that the Board of Standards and Appeals do hereby approve the appliance known as the E.S. Emergency Release Switch, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

415-38-SM.

APPLICANT—E. A. Swenson, for The Flintkote Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re approval of additional roof specifications re Flintkote Built-up Roofing.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended in accordance with report of Committee on Tests.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy
Negative:

Note: The report of the Committee on Tests and resolution adopted, relative to an amendment approving additional roofing materials of the Flintkote Company, will be printed in the Bulletin of October 27, 1942, Vol. 27, Bulletin No. 43.

Adjourned: 3:50 P. M.

JOSEPH J. DOYLE, Chief Clerk

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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No. 43

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Minutes of Regular Meeting October 20, 1942, at 2 P. M., Affecting Calendar Numbers 415-41-BZ, 337-33-BZ, 116-35-BZ, 88-36-BZ, 261-36-BZ, 247-37-BZ, 10-38-BZ, 950-39-BZ, 1206-39-BZ, 38-40-BZ, 574-40-BZ, 661-41-BZ, 840-41-BZ, 439-42-A, 678-42-A, 628-42-A, 1089-41-A, 264-42-A, 319-42-A, 644-42-A, 679-42-A, 742-42-A, 400-42-A, 752-40-SM, 613-41-SM, 785-39-SM, 182-41-SA and 376-41-SM.

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Notice of Public Hearing on Proposed Amendments to Rules relative to Submerged Inlets and Protective Methods to be applied to Prevent Contamination of Water Supply.

Annual Report for 1941.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to October 20, 1942.

Cal. No.	Dept.	Premises Affected
736-42-BZ	H.B.B.	89 East 92nd street, east side, 160 ft. 7 in. north of Rutland road (Block No. 4595, Lot No. 71), Borough of Brooklyn, B. N. 1356-42.
737-42-S	F.D.	481-495 Clermont avenue, 783-803 Atlantic avenue, northeast corner and 470 Vanderbilt avenue (Block No. 2009, Lot No. 1), Borough of Brooklyn, 9460-L. F. and Decision.
738-42-A	H.B.B.	1265-1269 39th street, north side, 120 ft. west of 13th avenue (Block No. 5294, Lot No. 46), Borough of Brooklyn, Amendment to Misc. 1444-42.
739-42-A	H.B.B.	1882-1884 86th street and 8602-8612 19th avenue, southwest corner (Block No. 6371, Lot No. 53), Borough of Brooklyn, Alt. 2496-42.
740-42-A	F.D.	28-44 to 28-54 Borden avenue, block bounded by Borden avenue, Review avenue and 29th street (Block No. 293, Lot No. 1), Long Island City, Borough of Queens, 92973-C.
741-42-A	H.B.M.	1275 Broadway, southwest corner of West 33rd street (Block No. 808, Lot No. 40), Borough of Manhattan, Amendment to Alt. 1996-41.
742-42-A	H.B.Bx.	4401 Bronx boulevard and northeast corner of Bullard avenue and East 238th street (Block No. 5065, Lot No. 1), Borough of The Bronx, Amendment to N. B. 126-42.
743-42-BZ	H.B.B.	51-59 Maujer street and 451-457 Lorimer street, northwest corner (Block No. 2785, Lot Nos. 32, 35 and 36), Borough of Brooklyn, Alt. 2558-42.
744-42-A	H.B.B.	71 Taaffe place, east side, 132 ft. 11 in. north of Park avenue (Block No. 1883, Lot No. 7), Borough of Brooklyn, Alt. 2761-42.

Restored to Calendar.

400-42-A	F.D.	134-184 43rd street and 4302-4320 Second avenue, southwest corner (Block No. 726, Lot No. 1), Borough of Brooklyn, 90743-L. C. and Decision.
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DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
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Carbon Dioxide Liquefier, Rules	Mar. 10, 1942—Vol. 27, No. 14

	Last Publication in Bulletin
Certificates of Occupancy, approved form	Nov. 25, 1941—Vol. 26, No. 4
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 1
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June 24, 1941—Vol. 26, No. 3
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 3
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 15
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 16
Factory Exit Rules	June 16, 1942—Vol. 27, No. 7
Fire Alarm Rules (Interior)	Apr. 7, 1942—Vol. 27, No. 4
Fire Drill Rules	Aug. 4, 1942—Vol. 27, No. 28
Fire-resistant, Flameproof Materials, etc., Rules for Testing of	Apr. 28, 1942—Vol. 27, No. 16
Fire Retarding Rules for Garages, etc.	Dec. 16, 1941—Vol. 26, No. 13
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 21
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 20
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Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 5
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Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 10
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 25

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Fuel Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 4
Fuel Oil Burners for Industrial Use	Nov. 25, 1941—Vol. 26, No. 4
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Paint, Varnish and Lacquer Spraying Equipment	Nov. 25, 1941—Vol. 26, No. 4
Range Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 4
Vacuum Breakers	Nov. 25, 1941—Vol. 26, No. 4

OCTOBER 27, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, Tuesday morning, October 27, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

539-42-BZ—Application, July 6, 1942, under section of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

217-42-BZ—Application, March 18, 1942, under section 7h and 21 of the zoning resolution, of Henry Nordheim applicant, on behalf of Mollie Barth, owner, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 158 East 205th street, south side, 80 ft. east of Grand Concourse (Block No. 3311, Lot No. 105), Borough of The Bronx.

363-42-BZ—Application, May 5, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant,

CALENDAR

nt on behalf of Estate of Jennie Adee, owner, to permit a residence use district for a term of two (2) years, e parking and storage of more than three (3) motor hicles; premises 650 Thwaites place, south side, from linville avenue to Barker avenue, 2224 Barker avenue and 11 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, , 27, 29, 31 and 33), Borough of The Bronx.

8-42-BZ—Application, July 13, 1942, under section 7h the zoning resolution, of Fairgate Holding Corporation, plicant and owner, to permit partly in a business use and rtly in a residence use district, for a term of two (2) ears, the parking and storage of more than five (5) motor hicles; premises 96-05 63rd road, northeast corner of th street (Block No. 2085, Lot Nos. 155, 157, 159 and 1), Rego Park, Borough of Queens.

076-22-BZ—Application of Tobias Goldstone, applicant, a behalf of Rubar Realty Corporation, owner, reopened eptember 22, 1942, under section 21 of the zoning resolu- on, to permit in a business use district, the alteration and ange of use of a building from public garage for more an five (5) motor vehicles to public garage for more an five (5) motor vehicles and a newspaper distributing ation, which will include the storage of more than five 5) motor vehicles; premises 204-210 (Saratoga avenue and 9 Hull street, northwest corner (Block No. 1531, Lot No. 3), Borough of Brooklyn.

Appeal from Administrative Decision.

13-42-A—204-210 Saratoga avenue and 29 Hull street, orthwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 27, 1942, 2 P. M.

Appeals from Administrative Decisions.

9-42-A—15 West 84th street, north side, 220 ft. west Central Park West (1st floor, front room); (Block No. 98, Lot No. 23), Borough of Manhattan.

02-42-S—40-09 21st street, east side, 58.22 ft. south of th avenue (Block No. 410, Lot No. 9), Long Island City, ough of Queens.

Appliances and Material for Approval.

7-42-SA—Staley Elevator Hoistway Door Interlock, ype RL-2.

1-42-SA—Smith's Types D and J Portable Acetylene enerator, K815, K830, K850, K1515, K1530 and K1550.

2-42-SA—Smith's Type L Stationary Acetylene Gen- ator, K2100, K2200, K2300 and K2500.

6-42-SM—Armstrong's Cushiontone (Acoustical Mate- al).

OCTOBER 30, 1942, 10:30 A. M.

Rules.

35-38-SR—Proposed Amendments to Rules Relative to umberged Inlets and Protective Methods to be applied to revent Contamination of Water Supply.

(For Copy of Proposed Amendments, see Bulletin of October 13, 1942, Vol. 27, No. 41.)

NOVEMBER 4, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Stand- ards and Appeals of a public hearing under the provisions of the zoning resolution, *Wednesday morning, November 4, 1942*, at 10 o'clock in Room 1013, Municipal Building, Man- hattan, on the following matters:

144-42-BZ—Application, February 18, 1942, under sec- tions 21 and 7h of the zoning resolution, of Oscar I. Silver- stone, applicant, on behalf of Harry Lipkin, owner, to per- mit in a business use district, the erection and maintenance of fourteen (14) individual one car garages and six (6) in- dividual one truck garages or to permit the alternate use of the premises for parking and storage of more than five (5) motor vehicles; premises 669-677 McDonald avenue, east side, 40 ft. south of Cortelyou road (Block No. 5385, Lot Nos. 87 and 92), Borough of Brooklyn.

607-42-BZ—Application, August 5, 1942, under section 7h of the zoning resolution, of J. M. Berlinger, applicant, on behalf of Janetta Whitridge, Mary Whitehouse and Harriet Aldrich, owners, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan.

581-42-BZ—Application, July 21, 1942, under section 7f of the zoning resolution, of Paul Friedman, applicant, on behalf of Lucval Realty Corporation (Homecrest Service Station, Incorporated, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1108-1110 (1106-1108 displayed) Avenue T, south side, 40 ft. east of Coney Island avenue (Block No. 7315, Lot No. 3), Borough of Brooklyn.

625-42-BZ—Application, August 18, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, appli- cants, on behalf of Sylvester Liotta, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1183-1185 Myrtle avenue, north side, 117 ft. 6 in. west of Troutman street and 12 Troutman street (Block No. 3182, Lot Nos. 6, 8 and 16), Borough of Brooklyn.

631-42-BZ—Application, August 18, 1942, under section 7h of the zoning resolution, of Max Siegel, applicant, on behalf of Broad Hill, Incorporated and Park Plains, In- corporated, owners, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1582-1598 White Plains road, 1880 East Tremont avenue, southeast corner and 1569-1577 Unionport road (Block No. 3952, Lot Nos. 1, 5, 6, 8, 9, 10, 11 and 19), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 4, 1942, 2 P. M.

Appeals from Administrative Decisions.

299-42-A—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

624-42-S—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

678-42-A—129-92 Willets Point boulevard, southeast corner of Northern boulevard (Block No. 1833, Lot Nos. 215, 221, 410 and 425), Corona, Borough of Queens.

CALENDAR

Appliances for Approval.

134-35-SA—Fluid Heat (Gun Type) Oil Burner, Amendment of Resolution to include additional name "Sherwood".

603-42-SA—Airco Stationary Acetylene Generator, 300 and 500 lbs., approval of.

53-42-SA—Elevator Appliance Company Electro-Mechanical Interlocks, Types CD, CS, DS and ED, approval of.

NOVEMBER 10, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, November 10, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

651-42-BZ—Application, September 2, 1942, under section 7c of the zoning resolution, of John J. Morro, applicant, on behalf of Paragon Oil Company, Incorporated, owner, to permit in a residence use district, the extension of a gasoline service station; premises 2458-2470 Cropsey avenue, northwest corner of Bay 38th street (unopened); (Block No. 6928, Lot No. 50), Borough of Brooklyn.

617-42-BZ—Application, August 12, 1942, under section 7c of the zoning resolution, of John F. Payne, applicant, on behalf of Socony-Vacuum Oil Company, Incorporated, owner, to permit in a business use district, the erection and maintenance of a new accessory (lubritorium) building on an existing gasoline service station; premises 1979 East 177th street, northwest corner of Pugsley avenue (Block No. 3794, Lot No. 50), Borough of The Bronx.

714-42-BZ—Application, September 30, 1942, under section 21 of the zoning resolution, of John E. Cahill, appli-

cant, on behalf of Louis Grossman, owner, to permit in a residence use and also a G area district, the erection and maintenance of a vestibule (to an existing dwelling) which extends into a front yard required by the zoning resolution; premises 108-26 66th road, south side, 220 ft. east of 108th street (Block No. 5175, Lot No. 18), Forest Hills, Borough of Queens.

556-42-BZ—Application, July 13, 1942, under section 21 of the zoning resolution, of William C. Sommerfeld, applicant, on behalf of Richards Saels Corporation, Incorporated, owner, to permit in a business use district, the maintenance of two (2) sets business (pawnbrokers) signs; premises 9 Columbus avenue, east side, 100 ft. 5 in. north of West 59th street (Block No. 1112, Lot No. 64), Borough of Manhattan.

577-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant, on behalf of Crew Levick Corporation, owner (Joseph E. Johnston, lessee), to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

727-42-BZ—Application, October 7, 1942, under section 21 of the zoning resolution, of Lama and Proskauer, applicant, on behalf of Green Bus Lines, Incorporated, owner, to permit in an undetermined use and also an F area district, the erection and maintenance of an extension to an existing garage for more than five (5) motor vehicles (buses); the said extension does not comply with the setback or with the area requirements of the zoning resolution; premises 148-02 to 148-18 147th avenue, south side, from 148th to 149th streets (Block No. 4233, Lot No. 1), South Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 20, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Wednesday morning, October 14, 1942, and Wednesday afternoon, October 14, 1942, were approved, as printed in Bulletin No. 42, Vol. 27.

ZONING CASES.

363-42-BZ.

APPLICANT—Henry Nordheim, for Estate of Jennie Adee, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7e and 21 of the zoning resolution, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and George Fargis.

For Opposition: Samuel M. Birnbaum and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 27, 1942 at 10 A. M. on request of owner's attorney.

558-42-BZ.

APPLICANT—Fairgate Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 101), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Francis Finkelhor and A. J. Jeniskian.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 27, 1942 at 10 A. M. for further consideration by the Board. No further argument.

159-36-BZ.

APPLICANT—Alurion Realty Corporation, owner and Public Service Interstate Transportation Co. lessee.

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SUBJECT—Application (re decision of the borough superintendent) under section 7j of the zoning resolution, to permit in a retail one (1) use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles (Bus Terminal); reopened by vote of Board February 18, 1941.

PREMISES AFFECTED—245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1013, part of Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles R. Barrett.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (159-36-BZ)

WHEREAS, Frank G. Colgan, for Alurion Realty Corporation, owner, filed May 29, 1936, an application under section 7h of the zoning resolution, to permit in a retail use district, the use and maintenance of a plot of ground as a parking space for more than five (5) motor vehicles for a temporary period of two (2) years; premises: 245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1013, part of Lot No. 3), Borough of Manhattan; and

WHEREAS, this application was granted by the Board October 23, 1936, on certain conditions, resolution amended April 19, 1938, permit extended October 11, 1938, resolution amended February 21, 1939 and the lessee requested a further extension of the permit; and

WHEREAS, this application was reopened by vote of the board on February 18, 1941, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 20, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 41st street is in retail use and unrestricted use districts; West 42nd street is in retail one use district and Eighth avenue is in retail one use district; and

WHEREAS, the decision of the borough superintendent dated April 14, 1941, reads:

"Your application for certificate of occupancy for use of the above premises for the parking and storage of more than five (5) motor vehicles has been denied for the reason that said premises are located in a retail one use district where this occupancy is prohibited by Section 4E of the Zone Resolution."

WHEREAS, the premises consist of a plot of ground having a frontage of 150 ft. on West 41st street and a depth of 3 ft. 9 in. It is proposed to use the plot for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles (Bus Terminal).

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 23, 1936, as amended through resolution adopted by the Board on February 21, 1939, by adding thereto:

"that these premises may be occupied in accordance with the requirements of the resolution as a bus waiting room, under section 7j for a term of two (2) years from the date of this amended resolution, with the premises known as Lot No. 5 formerly known as part of Lot No. 3, with a frontage along West 41st street of 150 ft. and excluding the plot 49 ft. by 100 ft. on Eighth avenue; that Lot No. 60 known as 260 West

42nd street, may be occupied in connection with this bus station only as a waiting room and for the sale of tickets; that all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution."

474-42-BZ.

APPLICANT—Max Horn, for Temple Beth-El, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district and also an F area district, the alteration and also the extension of area of a building which will not conform with the area requirements of the zoning resolution.

PREMISES AFFECTED—121-02 to 121-16 Rockaway Beach boulevard, north side, from Beach 121st street to Beach 122nd street, 201 Beach 121st street and 202 Beach 122nd street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn and Louis K. Beller.

For Opposition: Max Meyer and Frederick T. Davies.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (474-42-BZ)

WHEREAS, Max Horn, for Temple Beth-El, owner, filed June 15, 1942, an application under section 21 of the zoning resolution, to permit in a residence use and also an F area district, the alteration and also the extension in area of a building which will not conform with the area requirements of the zoning resolution, premises 12-02 to 121-16 Rockaway Beach boulevard, north side, 202 Beach 122nd street and 201 Beach 121st street (Block No. 711, Lot No. 37), Rockaway Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 20, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Rockaway Beach boulevard is in residence use and F area district; Beach 121st street is in residence use and F area districts and Beach 122nd street is in residence use and F area districts; and

WHEREAS, the decision of the borough superintendent, re Alt. Applic. No. 864-42, dated May 22, 1942, and as amended July 6, 1942, reads:

"2. The area of the structure as proposed to be altered, exceeds the permitted area under Art. 4, Sec. 16 of the zone resolution. Not further considered."

and

WHEREAS, the applicant states that the premises consist of an irregularly shaped plot of ground having a frontage of 220 ft. on Rockaway Beach boulevard, 60 ft. on Beach 121st street and 100 ft. on Beach 122nd street; that upon the Beach 121st street frontage of plot, there is located a synagogue and abutting this building to the west, is a 3-story, Class 3, Hebrew school; that it is proposed to alter and extend the area of the Hebrew school building, as shown on plans filed with this application; that this proposed extension exceeds the permitted area in a residence use and F area district; that the area of the plot is 19,600 sq. ft.; that the area of synagogue is 5,018 sq. ft.; that the total area of both buildings (as extended) is 9,363 sq. ft.; that the total permissible area (in an F area district) is 8,660 sq. ft. and the requested area exceeds the permissible area on the 1st story by 703 sq. ft.; and

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WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the report of the Committee reads as follows:

REPORT OF COMMITTEE.

October 16, 1942.

Re: Cal. No. 474-42-BZ.

Premises: 121-02 to 121-16 Rockaway Beach blvd., Rockaway Beach, Queens.

This application is for a zoning variance to permit increase of area of proposed extension to a school operated in conjunction with Temple Beth El. The premises occupy the entire block front on Rockaway Beach boulevard between Beach 121st street and Beach 122nd street. According to the Tax Department, this block front is recorded as lots 32 and 37. The Synagogue was erected in 1924 under N. B. 1605 on lot 32 and part of lot 37. At that time both lots were in an E area district. The school, which has been so occupied for 16 years, was formerly a private dwelling, erected in 1913 under N. B. 982. It is $2\frac{1}{2}$ stories in height, constructed of 8" terra cotta tile as to the main house walls, with open frame porches on the front and part way on each side. The house has been so occupied as a school without any major alterations except that the porches have, in part, been enclosed and, on the easterly side, extended so as to connect with the Synagogue through an opening having a metal-covered door. After search of the records, no application has been found to cover these changes. But so connected, the Synagogue and the school become one structure without adequate fire doors to cut off one section from the other.

It is now proposed to make a material alteration and extension as to the first floor. Under the calculations of the Borough Superintendent, the area permitted in an F area district, in which the entire block front has been placed since 1925, would be exceeded by 937 square feet. Analysis of the method of computation would indicate that after proper allowance is made for the portion of the lot #37, occupied by the Synagogue (approximately 500 sq. ft.), the enlarged building would exceed the permitted coverage at the first story by only 114 sq. ft. and, further, if the area of the existing building, exclusive of porches (1,468 sq. ft.), is deducted as not being subject to the F area requirements because of its erection prior to zoning, that the enlarged building does not exceed the F area limitations. The proposed courts and yards exceed the requirements, and the existing second story, which is not to be enlarged, is materially less in area than would be legally permitted.

In the opinion of the Committee, the application should be granted on condition that the building shall not exceed in area or height the dimensions shown on the plans filed with this application; that the third story shall be occupied solely as proposed for caretaker's apartment; that in all other respects the requirements of the Building Code and all other laws, rules and regulations shall be complied with for a school building hereafter constructed, particularly as to exits and openings into the Synagogue section; that the garage building shall be removed; that no additional buildings or extensions shall be constructed on lots 32 and 37; that the yard space to the north abutting lot 43 shall be landscaped with shrubbery and not used for a driveway or parking of automobiles.

The Committee after inspection of the site and area recommends to the owners that in view of the unlikelihood that this work can be done under present conditions, the plan be restudied on the basis of a new building instead of extension and alteration of the

present structure, believing that the results would be far more satisfactory from every point of view.

(Sgd.) HARRIS H. MURDOCK,
Chairman

BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

FRANK MURPHY,
Deputy Fire Chief,
Commis

and

WHEREAS, the Board deemed that sufficient hardship had been shown to justify granting relief in view of the proposal to provide wider yards than required by the Zoning Resolution, section 16, subdivision c, and also to cover less area above the eighteen foot level than permitted under section 16, subdivision d; that under justifiable method of computation referred to in the report of Committee, the building as proposed could be deemed substantially in compliance with all the provisions of section 16; that the justment herein proposed by the Board is in complete harmony with the general purpose and intent of the Zoning Resolution and public health, safety and general welfare will be secured to a greater degree than if advantage were taken of the full coverage and width of courts and yards permitted under section 16; and

WHEREAS, in view of the limitation of the use of the third floor as contained in the report of Committee, the Board is not passing on the adequacy of the existing building for school purposes or in any way legalizing by its action, any use inconsistent with other requirements of laws, rules and regulations applicable.

Resolved, that the Board of Standards and Appeals hereby make a variation in the application of the area and height regulations of the zoning resolution, and that the application be and it hereby is granted under section 22 thereof, in accordance with the Report of Committee on condition that the premises shall be used under this variance only for the purpose proposed, as an adjunct to Temple Beth-el; that no signs temporary or otherwise shall be erected on the building, other than a permanent sign indicating the school use; that all permits shall be obtained and all work completed within one year from the date of this resolution.

548-42-BZ.

APPLICANT—Lama and Proskauer, for Felix Vich owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—492-500 Lorimer street
56-62 Powers street, southeast corner (Block
2780, part of Lot No. 1), Borough of Brooklyn

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative:

Negative: Chairman Murdock, Commissioner
Savage and Blum and Deputy Chief Murphy

THE RESOLUTION (548-42-BZ)

WHEREAS, Lama and Proskauer, for Felix Vich owner, filed July 9, 1942, an application under section

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the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises; 492-500 Lorimer street and 56-62 Powers street, southeast corner Block No. 2780, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 20, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Lorimer, Powers and Grand streets are all in a business use district; and

WHEREAS, the decision of the borough superintendent, re N. Applic. No. 1592-42, dated July 1, 1942, reads:

"2. Proposed parking and storage of more than 5 motor vehicles on premises located in a business zone is contrary to Article II, Section 4a (15) of the Zoning Resolution."

WHEREAS, the applicant states that the premises, part of a larger parcel of ground, consist of a plot of ground having a frontage of 77 ft. on Lorimer street and 75 ft. on Powers street and that it is proposed to use the plot, for a term of two years, for parking and storage of more than five motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h of the zoning resolution.

Resolved, that the decision of the borough superintendent on B. H. Applic. No. 1592-42, Objection No. 2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

557-42-BZ.

APPLICANT—Fairgate Holding Corporation, owner.
SUBJECT—Application (re decision of the borough superintendent under section 7h of the zoning resolution, to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—95-07 63rd road, north side, 20.43 ft. west of 96th street (Block No. 2084, Lot Nos. 153, 155 and 156), Rego Park, Borough of Queens.

APPEARANCES—
For Applicant: Francis Finkelhor and A. J. Jeniskian.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (557-42-BZ)

WHEREAS, Fairgate Holding Corporation, owner, filed July 13, 1942, an application under section 7h of the zoning resolution, to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 95-07 63rd road, north side, 20.43 ft. west of 96th street (Block No. 2084, Lot Nos. 153, 155 and 156), Rego Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 20, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 63rd road is in a retail and business use district; Queens boulevard is in a business and retail use district and 96th street is in a residence, business and retail use district; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 3421-42, dated June 26, 1942, reads:

"The use of these premises for the parking and storage of more than five motor vehicles in a retail district and extending into a residence district is contrary to Art. 2, Section 3 and 4a, subdivision 15 of the zoning resolution. Not further considered."

and
WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 127 ft. on 63rd road; a distance of 107 ft. along the easterly lot line and 65 ft. along the northerly lot line; that a small irregular shaped area at the northerly part of the plot is in a residence use district, the remainder is in a retail use district, and that it is proposed to use the plot, for a term of two years, for parking and storage of more than five motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a variance under section 7h of the zoning resolution.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 3421-42, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

596-42-BZ.

APPLICANT—Koch and Wagner, for The Roberts Numbering Machine Company, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the erection and maintenance of a garage for five (5) motor vehicles (of the pleasure car type) for storage of cars owned by the officers of the owners of factory buildings located on the same plot.

PREMISES AFFECTED—30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block No. 4102, Lot Nos. 19 and 35), Borough of Brooklyn.

APPEARANCES—
For Applicant: Charles C. Wagner, Harry L. Yakel and George S. Hice.
For Opposition: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (596-42-BZ)

WHEREAS, Koch and Wagner, for The Roberts Numbering Machine Co., owner, filed July 27, 1942, an application under section 7c of the zoning resolution, to permit in a residence use district, the erection and maintenance of a garage for five (5) motor vehicles (of the pleasure car type) for storage of cars owned by the officers of the owners of factory buildings located on the same plot; premises, 30 Richmond street, west side, 194 ft. 6 in. south of Jamaica avenue and 692-710 Jamaica avenue (Block No. 4102, Lot Nos. 19 and 35), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application on October 20, 1942, by the Board of Standards and Appeals after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district regulations of the zoning resolution as shown on maps accompanying said zoning

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resolution show that Jamaica avenue, Richmond street and Logan street are each in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, re N. B. Applic. No. 313-42, dated July 20, 1942, reads:

"Proposed garage for five (5) cars in a residential use district is contrary to Art. 11 Sec. 3 of the Zoning Resolution.

Note: These premises was the subject of conditional variations of Board of Stds. and Appeals. 306-42-BZ. Bull. 20, Vol. 27."

and

WHEREAS, the applicant states that the premises consist of a plot having a frontage of 188 ft. on Jamaica avenue, 27 ft. on Richmond street and a distance of 223 ft. along the southerly lot lines; that the Jamaica avenue frontage of the plot is in a business use district and the remainder of the plot is in a residence use district; that upon the plot are located a one and two-story factory building and also a one-story factory building (previously extended by the Board under Cal. 306-42-BZ), both occupied for the manufacture of numbering machines; that upon the Richmond street frontage of the plot there is a frame dwelling and that it is proposed to erect upon the part of the residential portion of the plot a one-story, Class 3 structure, 27 ft. by 48 ft. in area, to be occupied as a garage for five motor vehicles (of the pleasure car type) for storage of cars owned by the officers of the owners of factory buildings located on the same plot; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the construction and occupancy of the proposed garage building of the dimensions and located as shown on plans filed with this application, *on condition* that such building shall be occupied only for cars of the pleasure car type owned by the officers and owners of the factory buildings occupied by the Roberts Numbering Machine Company; that the entrance of this garage shall be solely through Lot No. 19 and no driveway or entrance shall be constructed to Richmond street; that there shall be no unprotected openings in the rear and side walls; that in the rear wall there shall be not over one 3 ft. door; that windows may be constructed on the rear and north sides, provided they are filled with approved fireproof glass blocks, or equipped with approved steel frames and sash glazed with wire glass; that in all other respects, the buildings shall comply with all laws, rules and regulations applicable thereto and all permits shall be obtained and all work completed within six months from the date of this resolution.

Adjourned: 11:00 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 20, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murhpy.

ZONING CASES.

415-41-BZ.

APPLICANT—George Edward Beatty, for L. & L. Holding Company, Incorporated, owner (John Nicholas, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—612-634 86th street and 1-7 Dahlgren place, southeast corner (Block No. 6055 Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Edward Beatty.

For Opposition: Julian V. Carraba.

ACTION OF BOARD—Request to reopen, withdrawn.
THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

337-33-BZ.

APPLICANT—Robert Teichman, for City Bank Farmers Trust Company, as trustee of Estate of William Waldorf Astor, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a period of two (2) years, the maintenance of a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—East side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert Teichman.

For Opposition: Harold Klorfein, Dep't of Parks

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

THE RESOLUTION (337-33-BZ)

WHEREAS, this application, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles premises east side of River avenue, 100 ft. north of East 161st street (Block No. 2484, Lot No. 9), Borough of The Bronx, was granted by the Board February 14, 1934, on certain conditions, the term of the permit extended from time to time, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of February 14, 1934, as amended October 22, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this *amended* resolution permitting the plot."

116-35-BZ.

APPLICANT—Ann H. Draper, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7e of the zoning resolution, permitting in a residence use district, the alteration and change of occupancy of part of an existing dwelling so as to include a business use (funeral parlor).

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REMISES AFFECTED—103-44 Springfield boulevard, northwest corner of Hollis avenue (Block No. 2008, Lot No. 22A), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: James C. Martin.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (116-35-BZ)

WHEREAS, this application, under section 7e of the zoning resolution, to permit in a residence district the alteration and change of occupancy of part of an existing dwelling, as to include a business use (undertaking establishment), premises 103-44 Springfield boulevard, northwest corner of Hollis avenue (Block No. 2008, Lot No. 22A), Queens Village, Borough of Queens, was granted by the Board July 9, 1935, for a temporary period, on certain conditions, permit extended October 15, 1940 and the owner requested further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of July 9, 1935, as amended October 15, 1940, only in so far as it has reference to the term of the variance, so that as amended, this portion of the resolution shall read:

"granted under section 7E for a term of five (5) years from the date of this amended resolution to permit . . ."

261-36-BZ.

APPLICANT—Arthur H. Haaren, for Kesbec, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit re parking—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district for a term of two (2) years, the extension of an existing gasoline service station to include the parking and storage of more than five (5) motor vehicles (previously granted by the Board under section 21 of the zoning resolution, permitting the rearrangement of the existing gasoline service station and, also permitting automobile repairing for the testing of brakes, etc.).

REMISES AFFECTED—3170-3178 Broadway and 28-34 Tieman place, southeast corner (Block No. 1981, Lot No. 65), Borough of Manhattan.

APPEARANCES—

For Applicant: Arthur H. Haaren.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (88-36-BZ)

WHEREAS, this application, under section 21 of the zoning resolution, to permit in a business use district the erection and maintenance of a motor vehicle repair shop on an existing gasoline service station, premises 3170-3178 Broadway and 28-34 Tieman place, southeast corner (Block No. 1981, Lot No. 65), Borough of Manhattan, was granted by the Board July 7, 1936, on certain conditions, the resolution amended September 15, 1936, March 16, 1937, September 14, 1937, and February 23, 1938; and

WHEREAS, Arthur H. Haaren, for Kesbec, Incorporated, owner, filed May 21, 1940, an application, under sections 7c and 21 of the zoning resolution, to permit in a business use district the extension of an existing gasoline service

station to include the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board May 28, 1940; and

WHEREAS, on October 22, 1940, the Board amended the resolution, permitting the parking and storage of not more than nineteen (19) motor vehicles for a term of two (2) years under section 7h of the zoning resolution; and

WHEREAS, the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 22, 1940, as to the variance to permit parking and storage, so that as amended, this portion of the resolution shall read:

"that such parking and storage may be permitted for a term of two (2) years under section 7c from the date of this amended resolution, provided it shall be limited . . ."

261-36-BZ.

APPLICANT—Philip Rosen, present owner, represented by Saul and Marshall M. Bernstein, attorneys.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the use of a plot of ground as a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—2891-2895 Bailey avenue, west side, 57 ft. south of West 230th street and 60-64 West 230th street (Block No. 3264, Lot Nos. 82 and 88), Borough of The Bronx.

APPEARANCES—

For Applicant: Philip Rosen.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (261-36-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the use of a plot of ground as a parking space for more than five (5) motor vehicles, premises 2891-2895 Bailey avenue, west side, 57 ft. south of West 230th street, and 60-64 West 230th street (Block No. 3264, Lot Nos. 82 and 88), Borough of The Bronx, was granted by the Board January 5, 1937, on certain conditions, the permit extended November 1, 1938, and October 15, 1940; and

WHEREAS, these premises have been acquired under a deed by Philip Rosen, and an application has been made for extension of the permit, to expire simultaneously with the permit covering the adjoining premises owned by Thema Rosen for which parking and storage were permitted under Cal. No. 101-32-BZ.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of January 5, 1937, as amended October 15, 1940, so that as amended, this portion of the resolution as to term of the permit, shall read:

"granted for a term of approximately 1½ years terminating March 31, 1944, similar to a permit granted under Cal. No. 101-32-BZ, affecting the adjoining premises; that the parking on these premises may be operated in conjunction with the parking and storage use permitted for the adjoining premises under Cal. No. 101-32-BZ."

247-37-BZ.

APPLICANT—Margaret Murray (Mrs. T. Murray), one of the lessees, for George R. Jenkins, owner.

MINUTES

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Margaret Murray.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (247-37-BZ)

WHEREAS, this application to permit in a business use district, under section 7h of the zoning resolution, the parking and storage of more than five (5) motor vehicles, premises 40-23 69th street, east side, 278 ft. south of Roosevelt avenue (Block No. 1301, Lot No. 10 and part of Lot Nos. 12 and 14), Woodside, Borough of Queens, was granted by the Board April 5, 1938, on certain conditions and permit extended October 5, 1940; and

WHEREAS, Margaret Murray (Mrs. T. Murray), one of the lessees, for George R. Jenkins, owner, requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of April 5, 1938, as amended October 5, 1940, only so far as it has reference to the term of permit, so that as amended, this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this amended resolution."

10-38-BZ.

APPLICANT—Bofred Realty Corporation (present lessee), for Stellbea Theatres Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, for a temporary term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—136-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Martin S. Tracey.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (10-38-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, to permit in a business use district the parking of more than five (5) motor vehicles, premises 130-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens, was granted by the Board September 13, 1938, on certain conditions, permit extended October 22, 1940 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on September 13, 1938,

as amended October 22, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted, under section 7h thereof, for a temporary term of two (2) years from the date of this amended resolution."

950-39-BZ.

APPLICANT—James Britton Halley (lessee), for Olga Roman and Harriet Britton, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution permitting in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3450-3452 Eastchester road east side, 311 ft. north of Boston road, and 3457-3459 Mickle avenue, west side, 280 ft. north of Boston road (Block No. 4723, Lot Nos. 15, 16, 17, 47 and 48), Borough of The Bronx.

APPEARANCES—

For Applicant: Mrs. Margaret Halley.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy

Negative: 0

THE RESOLUTION (950-39-BZ)

WHEREAS, James Britton Halley (lessee), for Olga Roman and Harriet Britton, owners, filed July 13, 1939, an application under section 7h of the zoning resolution, to permit in a residence use district the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years; premises 3450-3452 Eastchester road, east side, 311 ft. north of Boston road, and 3457-3459 Mickle avenue, west side, 280 ft. north of Boston road (Block No. 4723, Lot Nos. 15, 16, 17, 47 and 48), Borough of The Bronx and

WHEREAS, this application was granted by the Board on October 15, 1940, on certain conditions and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 15, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this amended resolution."

1206-39-BZ.

APPLICANT—Menley and James, Limited, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution permitting upon a plot, located partly in an unrestricted use and partly in a residence use district the erection and maintenance of a business building (storage of paper cartons).

PREMISES AFFECTED—91-17 to 91-27 138th place northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: C. H. Marsh.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy

Negative: 0

MINUTES

THE RESOLUTION (1206-39-BZ)

WHEREAS, this application, under section 7c of the zoning resolution, to permit upon a plot, located partly in a residence use district and partly in an unrestricted use district, the erection and maintenance of a business building (storage of paper cartons), premises 91-17 to 91-27 138th street, northeast corner of Archer avenue (Block No. 9981, Lot Nos. 26 and 20), Jamaica, Borough of Queens, was granted by the Board January 3, 1940, on certain conditions; and time to obtain permits and complete work extended November 13, 1940 and January 6, 1942 and applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted January 3, 1940, as amended November 13, 1940 and January 6, 1942, only so far as it refers to obtaining permits and completion of the work, so that as amended this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

664-40-BZ.

APPLICANT—Samuel G. Thomson, Jr., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a residence use and partly in a business use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles on that portion of the plot in the business use district.

PREMISES AFFECTED—87-68 170th street, west side, 58.95 ft. south of Hillside avenue (Block No. 9825, Lot No. 21), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: August Bettendorf.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (38-40-BZ)

WHEREAS, Samuel G. Thomson, Jr., owner, filed January 1940, an application under section 7h of the zoning resolution, to permit partly in a business and partly in a residence use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 87-68 170th street, west side, 58.95 ft. south of Hillside avenue (Block No. 9825, Lot No. 21), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board on October 15, 1940, on certain conditions and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 15, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted under section 7h thereof for a term of two (2) years from the date of this amended resolution, to permit the plot to be occupied for the transient parking of motor vehicles on condition * * *."

664-40-BZ.

APPLICANT—Lama and Proskauer, for Giuseppe Proscia, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—565-569 Carroll street, north side, 220 ft. east of Fourth avenue (Block No. 958, Lot No. 70), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Rose Proscia.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (574-40-BZ)

WHEREAS, this application, to permit in a business use district the alteration and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, premises 565-569 Carroll street, north side, 220 ft. east of Fourth avenue (Block No. 958, Lot No. 70), Borough of Brooklyn, was granted by the Board September 24, 1940, on certain conditions, under section 7c of the zoning resolution, time extended October 21, 1941 and the applicant requested a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 24, 1940 as amended October 21, 1941, only in so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"That in view of the statement by the applicant that all permits have been obtained, that all work shall be completed within one (1) year from the date of this amended resolution."

664-41-BZ.

APPLICANT—Milton M. Eisenberg, for General Linen Supply and Laundry Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7g of the zoning resolution, permitting in an unrestricted use district and also on the same street and between the same two (2) intersecting streets upon which there is an exit or an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—157-171 Sanford street, east side, 75 ft. north of Willoughby avenue (Block No. 1753, Lot Nos. 4 to 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton B. Weissman.

For Administration: Morris Hannes, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (664-41-BZ)

WHEREAS, this application under section 7g of the zoning resolution, to permit in an unrestricted use district, and also on the same street and between the same two intersecting streets upon which there is an exit or an entrance to a public school, the conversion of occupancy of a building to a garage for more than five (5) motor vehicles.

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ing to a garage for more than five (5) motor vehicles, premises 157-171 Sanford street, east side, 75 ft. north of Willoughby avenue (Block No. 1753, Lot Nos. 4 and 10), Borough of Brooklyn, was granted by the Board December 9, 1941, on certain conditions, resolution amended May 26, 1942, time extended September 9, 1942 and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of December 9, 1941, as amended May 26, 1942, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7g thereof, to permit the premises consisting of one, two and three story buildings as indicated on plans filed with this application marked 'Received October 27, 1941' to be occupied primarily on all floors as a garage for more than five (5) motor vehicles restricted to motor vehicles in the ownership and control of the occupants engaged in the laundry and linen supply business and also for incidental repairs to their own trucks, including painting and spraying to include also the spraying and painting of metal receptacles used in the business *on condition* that the sprinkler system shall be maintained throughout to the satisfaction of the fire commissioner; that the buildings shall not be increased in height or area; that the cellar shall be used only for the heating equipment and the storage of incombustible materials; that the cellar shall be separated from the building with either fireproof construction or with floors protected on the cellar ceiling side with approved fire-retarded material; that the cellar shall be enterable only from the exterior except that any existing interior stairway may be continued provided the opening to the heater room is cut off with an approved fireproof self-closing door; that the rear yard shall not be built upon and all rubbish now therein shall be completely removed and the rear yard shall be kept clear of rubbish and other material at all times; that the third story on Building No. 2 shall be used only for the storage of merchandise and similar material and not for garage purposes; that the sliding fireproof self-closing tin clad doors in the openings where shown in fire walls shall be kept in operating condition and without obstructions at all times; that the gasoline installation shall be solely for the use of the motor vehicles stored in the building and not for sale of gasoline to passing vehicles; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 665-41-A; that all existing certificates of occupancy shall be cancelled and new certificate of occupancy issued for the premises in compliance with the terms of this resolution; that all permits shall be obtained and all work completed within three (3) months from September 9, 1942.

Resolved further, that the present opening between the storage room and heating room in the cellar may be bricked up solidly instead of having a self-closing fireproof door installed as hereinbefore required; that the exit facilities may be maintained as were approved under previous Building Code regulations applicable at the time of the construction and alterations to the buildings; that the liveload may be maintained as follows:

Cellar—on ground.

1st floor—on ground and 120 lbs. per superficial foot over cellar.

2nd floor—75 lbs. per superficial foot for that portion of the building known as 167-169 Sanford street originally approved for stable occupancy under N. B. Permit 3444/14. Elsewhere throughout the second floor at 120 lbs. per superficial foot.

3rd floor—for use of light storage only; 75 lbs. per superficial foot."

840-41-BZ.

APPLICANT—Max Horn, for Anna L. Friedman and Ramsid Realty Company, owners (Isidore Weiss, lessee).

SUBJECT—Application (re decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station; a motor vehicle repair shop and, also, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—58-20 Rockaway Beach boulevard and 102 Beach 59th street, northeast corner (Block No. 380, Lot Nos. 31 and 35), Arverne Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

THE RESOLUTION (840-41-BZ)

WHEREAS, Max Horn, for Anna L. Friedman and Ramsid Realty Company, owners (Isidore Weiss, lessee), filed September 30, 1941, an application under sections 7h and 21 of the zoning resolution, to permit in a residence use district, the erection and maintenance of a gasoline service station, a motor vehicle repair shop and, also, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles, affecting premises 58-20 Rockaway Beach boulevard and 102 Beach 59th street, northeast corner (Block No. 380, Lot Nos. 31 and 35), Arverne Borough of Queens; and

WHEREAS, the applicant failed to complete the papers for the subject case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

APPEALS FROM ADMINISTRATIVE DECISION

439-42-A.

APPLICANT—15-17 West 84th street, Incorporated, owner (Herman Mermeistein, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—15 West 84th street, north side, 220 ft. west of Central Park West (Block No. 1198, Lot No. 23); (1st floor west—front room) Borough of Manhattan.

APPEARANCES—

For Applicant: Harry C. Kane.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to October 27, 1942, 2 P. M. at request of applicant's representative.

678-42-A.

APPLICANT—Manoug Exerjian, for Lincoln Association, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—129-92 Willets Point boulevard, southeast corner of Northern boulevard (Block No. 1833, Lot Nos. 215, 221, 410 and 425), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Manough Exerjian.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

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ACTION OF BOARD—Laid over to November 4, 1942 at 2 P. M. for inspection by a committee of the Board. No further argument.

628-42-A.

APPLICANT—J. M. Berlinger, for Charles F. Hubbs and Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—383-387 Lafayette street and 22 East 4th street (Block No. 531, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Applicant: C. I. Goldman and J. M. Berlinger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

1089-41-A.

APPLICANT—World Camera Exchange, for Intercounty Properties Corporation, owner (Angela Mousouris, lessee).

SUBJECT—Appeal reopened July 14, 1942—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—550-554 Eighth avenue, east side, 40 ft. north of West 37th street and 265-267 West 37th street (Block No. 787, Lot Nos. 1 to 10, inclusive and part of Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: B. S. Levine and E. Ellis.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1089-41-A)

WHEREAS, World Camera Exchange, for Intercounty Properties Corporation, owner, filed on December 17, 1941 an appeal from an order and a decision of the fire commissioner; premises 550-554 Eighth avenue and 265-267 West 37th street, northeast corner (Block No. 787, part of Lot No. 8 and Lot Nos. 1 to 10), Borough of Manhattan;

WHEREAS, Order No. 26415-LC issued by the fire commissioner May 23, 1941, reads:

"YOU ARE HEREBY ORDERED AND REQUIRED TO:

1—Discontinue the maintenance or operation of a still film laboratory on the above mentioned premises.

REASON: Building is not equipped with an approved system of automatic sprinklers. Sec. C19-117.0-A.5, Administrative Code."

and

WHEREAS, said order was referred to in the decision of the fire commissioner dated December 8, 1941; and

WHEREAS, the applicant states that the building is 23 stories (277 ft.) in height; 100 ft. by 98 ft. 9 in. in area; of Class 1 construction; equipped with a standpipe and sprinkler system; located in a business use district; erected in 1926; and presently occupied: cellar, photography, 3 persons; 1st floor, photography, 3 persons; 2nd to 23rd floors, coat manufacturing and showrooms, 15% manufacturing throughout the building; 115 persons on each floor; and

WHEREAS, the applicant contends that the store is used for retail photography and is separated from the balance of the building by incombustible materials and is equipped with sprinkler heads; that there are 10 heads in the basement and 8 heads on the first floor store; that the photographic

work done on the premises consists of printing and developing of amateur roll films; that all machinery used is of metal and the developing tanks are ceramic; and

WHEREAS, a report of an inspector of the Division of Fire Prevention of the Fire Department on file in the combustible folder of the Fire Department indicates that the sprinkler system supplying the building is a split system with the following sources: two 7,500 gallon pressure tanks, one 10,000 gallon gravity tank, two 6,000 gallon gravity tanks. The pressure and gravity tanks feed the system from the 12th floor up and the gravity tanks feed the system from the 11th floor down so that the building below the 11th floor is deemed to be equipped with a one source system; and

WHEREAS, this appeal was granted by the Board on February 10, 1942, on certain conditions and applicant requested an amendment of the resolution; and

WHEREAS, this appeal was reopened by vote of the Board on July 14, 1942; and

WHEREAS, this reopening is for the purpose of considering a new order of the fire commissioner, Order No. 31088-LC, dated June 1, 1942, which reads:

"Before a permit may be issued for you to conduct a still film laboratory, the following must be done:

1. Fill out, sign and return enclosed application for a still film laboratory. Sec. C19-116.0.

2. Enclose stairway from cellar to 1st story with fireproof material and a self-closing fireproof door on opening. CH 26-636.0.

3. Provide a self-closing fireproof door to enlarging and printing room. Sec. C19-118.0.

7. Provide 1 approved 2½ gallon chemical fire extinguisher in each film room."

and

WHEREAS, the applicant contends that subsequent to the granting of the appeal by the Board on Fire Department order, 26415-LC, order 31088-LC was issued, requiring changes and installation of equipment and the application for a permit to conduct a still film laboratory; that inasmuch as the resolution of the Board relative to Order No. 26415-LC was complied with, it is felt that the applicant should not be compelled to go through more expense and time to alter the laboratory to comply with Order 31088-LC.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on February 10, 1942, so that as amended, the resolution shall read:

"Resolved, that the Order No. 26415-LC of the fire commissioner, be and it hereby is modified and that the appeal be and it hereby is granted on condition that not more than a total length of 100 feet, of nitro-cellulose film shall be processed per day; that such film shall be stored in a metal container; that all other film shall be of the nitro-cellulose type; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that in all other respects the building and occupancy shall comply with all rules, laws and regulations applicable thereto, and that the sprinkler system shall be maintained to the satisfaction of the fire commissioner.

Resolved further, that the order of the fire commissioner, No. 31088-LC, items 2 and 3, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the space occupied on the first floor and cellar shall not be increased and that in all other respects, the resolution as adopted by the Board on February 10, 1942 shall be complied with and all other items of Order No. 31088-LC shall be complied with."

264-42-A.

APPLICANT—Frank C. Keller, for Davro Realty Company, owner.

SUBJECT—Appeal reopened—restored to calendar—September 9, 1942—re Appeal from a decision of the borough superintendent; previously withdrawn.

MINUTES

PREMISES AFFECTED—171-06 Jamaica avenue, south side, 40.20 ft. west of 172nd street (Block No. 10212, Lot No. 17), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (264-42-A)

WHEREAS, Frank C. Keller, for Davro Realty Company, owner, filed on March 31, 1942, an appeal from a decision of the borough superintendent, affecting premises 171-06 Jamaica avenue, south side, 40.20 ft. west of 172nd street (Block No. 10212, Lot No. 17), Jamaica, Borough of Queens; and

WHEREAS, this appeal was withdrawn on July 14, 1942; and

WHEREAS, the applicant requested a reopening of the appeal, based on a new decision of the borough superintendent; and

WHEREAS, this case was reopened by vote of the Board on September 9, 1942, subject to usual procedure; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2726-41, dated August 5, 1942, reads:

"1. Changing use of building from residence to business on second floor partly in frame construction is contrary to section 4.2.1 of the Building Code.

2. Stairway on first floor and second floor not enclosed in fire retarding material and fireproof self-closing door as required by sec. 6.4.1.8.1 Building Code.

3. Stairway from second floor does not lead to street as required by Sec. 6.4.1.11 B. C."

and

WHEREAS, the applicant contends as to Objection No. 1 of the borough superintendent's decision, that this building was filed under N. B. 2741-29 as a non-fireproof building; that although the airshaft on the second floor is frame, the building was accepted as non-fireproof; that the exterior of the walls of the airshaft have been surfaced with wire lath and plaster and it is now requested that this construction be accepted for class 3 building within the fire limits; and

WHEREAS, the applicant contends as to Objection No. 2 of the borough superintendent's decision, that it is requested that the stairway from the first to the second floor be accepted as an open stairway; that a fire escape has been erected in the rear of the building from the second floor to grade with a gooseneck ladder to the roof; that the building is 32 ft. 6 in. high and is one of a continuous row of seven similar buildings; that a partition has been erected 18 ft. to the rear of the entrance on the first floor constructed of wood studs, wire lath and plaster both sides and the ceiling within the area so partitioned has been fire-retarded; that the cellar ceiling is fire-retarded and there are three exits from the cellar; that a vertical ladder has been provided from the second story stair landing to roof; that the occupancy of the second floor will not exceed four persons; and

WHEREAS, the applicant contends as to Objection No. 3 of the borough superintendent's decision, that if the open stairs are accepted by the Board, Objection No. 3 will not be effective, as the stairs will then lead to street through the fire-retarded vestibule; and

WHEREAS, the applicant further contends that the work involved was done in error and it would be a hardship on the owner to alter the premises at this time, as all decorations are completed and installed; and

WHEREAS, on July 14, 1942 this application was withdrawn after argument, to permit the applicant to file a new decision of the borough superintendent; and

WHEREAS, a memorandum dated July 24, 1942, prepared for the signature of the borough superintendent of Queens and now on file with Alt. Applic. 2726-41, stated that in a conference of the parties involved, it was agreed that all amendments upon which approval of the Building Department was previously issued would be withdrawn and an amendment filed, to have the exits revert to the original application and the original objections would then be re-issued for presentation to the Board; and

WHEREAS, on August 1, 1942 an amendment was filed requesting that Objections 1, 2 and 3 be reissued, so that they could be submitted to the Board on appeal; and the objections herein appealed, were issued upon such amendment.

Resolved, that the decision of the borough superintendent as to Alt. Applic. 2726-41, Objections 1, 2 and 3, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the building and occupancy shall be maintained substantially as set forth and that the sprinkler heads installed in the building and fed from a one-inch waterline from the street, shall be maintained; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

319-42-A.

APPLICANT—Vitale Della Penna, for Sophie Brownstein, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—796 East 166th street, south side, 90 ft. west of Union avenue (Block No. 2670, Lot No. 35), Borough of The Bronx.

APPEARANCES—

For Applicant: Vitale Della Penna and Sophie Brownstein.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (319-42-A)

WHEREAS, Vitale Della Penna, for Sophie Brownstein, owner, filed on April 16, 1942, an appeal from a decision of the borough superintendent affecting premises 796 East 166th street, south side, 90 ft. west of Union avenue (Block No. 2670, Lot No. 35), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated March 31, 1942 on Alt. Applic. No. 66-42 reads:

"2. Proposed business occupancy in frame dwelling is contrary to Sec. 4.1.3."

and

WHEREAS, the applicant states that the building is 2 stories (28 ft.) in height, 24 ft. by 54 ft. in area at first floor, 24 ft. by 48 ft. in area at 2nd floor, of class 4 construction, erected in 1887, located on a plot 33.99 ft. by 225.66 ft. irregular in area in a residence and business use district; that the dwelling is occupied: cellar—boiler room; first floor—1 family; 2nd floor—1 family and proposed to be occupied: cellar—boiler room; 1st floor—beauty parlor—4 persons; 2nd floor—dwelling—1 family; and

WHEREAS, the applicant contends that the exterior walls are brick filled and surfaced on the exterior with stucco on wire lath; that the building has a side court 10 ft. wide, extending the full depth of the plot; that there is an exit from the rear of the building to the rear yard and egress to the street through side court; that at the time the building was erected, it could have been used for business use; that there are existing frame buildings in the neighborhood occupied for business purposes; that adjoining the building in question, there is a three story frame multiple dwelling occupied for business use on the first floor; that the tenant of the first floor has installed two hair-drying ma-

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hines in order to conduct a beauty parlor and occupied the upper floor for dwelling purposes; that no changes are contemplated to the building; that the owner, in order to carry on the building, is compelled to use the first floor for business purposes; that denial of this application will result in the loss of the building by the owner.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 66-42, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed business use as beauty parlor shall be restricted to two (2) rooms on the first floor; and that said beauty parlor shall be operated by Annie Knight as tenant, who shall occupy the balance of the house as a residence; that this modification shall continue for the term of two (2) years from the date of this resolution; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable hereto.

44-42-A.

APPLICANT—Martyn N. Weinstein, for Brooklyn Jewish Home for Convalescents, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—601-605 and 609 Beach 9th street, west side, 246.89 ft. south of Coffrey avenue (Block No. 111, Lot Nos. 20 and 3), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Martyn N. Weinstein and Abraham Berres.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (644-42-A)

WHEREAS, Martyn N. Weinstein, for Brooklyn Jewish Home for Convalescents, owner, filed August 31, 1942, an appeal from a decision of the borough superintendent affecting premises 601-605 and 609 Beach 9th street, west side, 246.89 ft. south of Caffrey avenue Block No. 111, Lot Nos. 20 and 3), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated August 6, 1942, on Alt. Application Nos. 644, 829 and 830-42, reads:

"2. As there is no record in the Department of a Certificate of Occupancy ever having been issued as per statement of owner, the proposed use of a frame dwelling for a public building is contrary to Section 4.2.1 of the building code."

and

WHEREAS, the applicant states that the premises consist of a plot fronting 333.81 ft. on Beach 9th street with a depth of 248.70 ft. therefrom, irregular in area; located in a residence use E area district, upon which there exists a 2½ story frame Men's building, 30 ft. 4 in. by 49 ft. 4 in. in area, occupied: Cellar, boiler room and storage, no persons; first floor, clinic and patients rooms, 9 persons; second floor, patients rooms, 11 persons; attic, helps rooms, 2 persons; a 1½ story frame chapel building 44 ft. 6 in. by 39 ft. 6 in. in area, occupied on the first floor as chapel and boiler room, 44 persons; and in the attic story as patients rooms 8 persons; and a 3 story frame main building, 39 ft. 8 in. by 43 ft. in area, occupied in the cellar as boiler room and storage, no persons; first floor, kitchen, dining room and recreation room, 44 persons; second floor, patients room, 16 persons; third floor, helps rooms, 7 persons; and

WHEREAS, Violations Nos. 1834, 1835 and 1836-42, were issued by the borough superintendent March 19, 1942, for occupying the buildings as convalescents Homes, without a certificate of occupancy; and

WHEREAS, the applicant contends that the three buildings in question were acquired in 1925 by the owner, a non-profit charitable organization; that prior thereto, these buildings were used as rooming and boarding houses; that the buildings are surrounded by large open spaces; that the total area of all three buildings combined is less than 6% of the area of the lot; that children are not accepted as patients and the facilities are confined to adults not over 65 years of age; that no bedridden cases are accepted; that all sleeping rooms used by the patients are confined to the first and second stories; that the buildings contain 2½ gallon fire extinguishers on all floors, are equipped with interior fire alarm system and "Davy" rope ladders are provided in all patient's rooms; that there is a watchman on duty throughout the night, who is required to punch a clock each hour in each building; that no smoking is permitted in the buildings; that a resident superintendent and a Registered Nurse are on duty 24 hours a day; that in 1941 the owner had plans prepared and approved by the Department of Housing and Buildings for the erection of a new building on the site; that bids were advertised for and received and difficulties were encountered in the obtaining of materials, inasmuch as priorities were denied, on the grounds that present facilities were in good repair and would have to suffice until the emergency is over; that the owners are ready to start the erection of the new building, but cannot obtain permission to do so; that the work engaged in at the Home is necessary and therefore the Board is requested to permit the continuance of the use of the buildings, so that a temporary certificate of occupancy may be granted until the war emergency is over and the building may be erected, as proposed.

Resolved, that the decision of the borough superintendent on Alt. Application Nos. 644, 829 and 830-42, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the boiler room enclosure in the main building shall have walls at all points of terra cotta or gypsum block from floor to ceiling; that the cellar ceilings throughout each of the three buildings shall be fire-retarded to the satisfaction of the borough superintendent; that additional and secondary fire escapes from the upper floors shall be installed and maintained in accordance with revised plans marked "Received October 20, 1942"; that the watchmen's service now being maintained, shall be continued; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the second story of the main building shall be occupied by not over eighteen (18) persons; that the third floor shall be used for service employees only, and not exceeding eight (8) persons; that in the men's building, the second floor shall be occupied for men only and not exceeding twelve (12) persons; that the third or attic story shall not be occupied; that the building shall be maintained during the term of this modification, substantially as set forth and in accordance with the requirements of this resolution; that this modification shall be for a term of two (2) years from the date of this resolution.

679-42-A.

APPLICANT—Joe Salwen Paper Company (lessee) for Betsey Ann Fay Estate, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—405 East 4th street, north side, 200 ft. west of East River drive (Block No. 359, part of Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Reuben Salwen and O. L. Maddux.
For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

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THE RESOLUTION (679-42-A)

WHEREAS, Joe Salwen Paper Company (lessee), for Betsey Ann Fay Estate, owner, filed on September 16, 1942, an appeal from an order of the fire commissioner, affecting premises 405 East 4th street, north side, 200 ft. west of East River drive (Block No. 359, part of Lot No. 36), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, Order No. 32160-LC, dated September 15, 1942, reads:

"With regard to letter forwarded to Mr. John J. Burns of the boiler squad of the Department of Housing and Buildings, copy of which accompanied your letter under date of August 26, 1942, to this department concerning the use of a combustible mixture, specifically 'Dowtherm', in a gas fired generator, kindly be informed that the letters to which reference is made are accepted as an application for permit in order to enable you to appeal from this department's determination.

1. In the judgment of this department the issuance of a permit to use 'Dowtherm' as a medium for heat transfer involves an inherent hazard, in consequence of which, the interest of public welfare must be the first consideration and your application is therefore disapproved."

and

WHEREAS, the applicant states that the building is six stories (65 ft.) in height; 85 ft. by 96 ft. 6 in. in area; of Class 1 construction; located in a residence use district; erected in 1912, and occupied—first floor, shipping of paper, 6 persons; second floor, paper board lining and paper storage, 11 persons; third floor, offices and storage of paper, 15 persons; fourth, fifth and sixth floors, storage of paper, no persons; and

WHEREAS, the applicant contends that an order was received for 200 tons of asphalt laminated chip board and in order to comply with the order, inquiry was made of the Consolidated Edison Company as to the safest and simplest means of obtaining sufficient heat to melt and control the asphalt; that the Edison Company introduced the Eclipse Fuel Engineering Company, who suggested the installation of the Dowtherm Vaporizer and designed and installed the entire job; that priorities have been issued and the work completed; that the finished product is to be used for shell containers; that the asphalt used will be 170° F. melting point; and

WHEREAS, it is proposed to install a McKee No. 5-D Dowtherm boiler having an hourly output of 150,000 b. t. u.; that the vapor line from the boiler to the coils in the asphalt tank will be 3 in. extra heavy pipe with forged-steel fittings, all joints will be welded, all flanges to be 300 lbs. A.S.F., gaskets to be aluminum covered asbestos gaskets as manufactured by the Goetz Packing Company, New Brunswick, New Jersey, for Dowtherm installations; that the return line from asphalt return coil to boiler will be made as a wet return into a Hartford Loop, in which the connection in the equalizer will be made at the liquid line; that this return line will be 2 in. extra heavy iron pipe, all connections welded, all flanges and gaskets as specified for the vapor line; that on the steam boiler, the steam flow line will be 2 in. standard iron pipe to top of coils in the melting tank with a 2 in. return from bottom of coils to return connection to boiler, where Hartford Loop connection will be made to an equalizer at water line; that fittings will be of standard cast iron, 125 lb. working pressure; that either ground-joint unions, flanges, or gasketed unions will be used; that where the gasket unions are used, a gasket suitable or high pressure steam will be installed; that a fixed orifice will be used and an adjustment pin supplied, so that overfiring can be controlled, and that the vaporizer will be equipped with a pop safety valve; that a limit pressure controller, to eliminate excessive Dowtherm vaporizer temperature and low liquid level cutoff, will be installed as shown on plans filed with this appeal, and that the contractor has installed approximately 150 Dowtherm Vaporizers in the country and has had no reports of fires due to the Dowtherm phase of the installations; and

WHEREAS, the system was tested to a hydrostatic pressure of 200 lbs. per square inch for a period of approximately fifteen (15) hours and showed no leaks in the presence of a committee of the Board, a representative of the Division of Combustibles, representatives of the uniformed forces of the Fire Department, representatives of the Boiler Division of the Department of Housing and Buildings and representatives of the installer; and

WHEREAS, the system was tested with ammonia at 74 lb. pressure in the presence of a representative of the Division of Combustibles, Fire Department, and a representative of the Engineering Division of the Board, and showed no leaks.

Resolved, that the order of the Fire Commissioner, No. 32160-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the equipment shall be maintained substantially as proposed and used only for the specific purpose stated; that the vaporizer proposed shall be constructed to operate at a pressure of 100 p.s.i.; that the system shall be tested to a hydrostatic pressure of 200 p.s.i.; followed by a leakage test using ammonia to determine if any leaks exist; that welding shall conform to the rules of the Board; that all piping and fittings shall be of steel; that gaskets used shall be of the double jacketed asbestos type sealed with graphite compound or equivalent aluminum covered asbestos gaskets; that tubing in the vaporizer may be rolled and beaded; that the vaporizer be provided with sufficient air to insure rapid circulation and preclude localized overheating; that the gas flame shall not impinge directly upon the tubes unless suitable baffles are provided; that dampers in the exhaust pipe shall have remote control operated from outside the vaporizer room; that such exhaust pipe shall be of metal, protected by incombustible insulation adequate for the temperatures obtained; that the existing gas pilot ignition be dispensed with and there shall be installed an electric transformer and automatic ignition equipment with remote control outside; that there shall be installed a thermostatic control in vaporizer room set at 100° F. and a switch outside the vaporizer room which will cause the gas fuel to be shut off when the Dowtherm vaporizer room temperature reaches 100° F.; that such outside switch shall be interlocked with ignition, so that when thermostat functions or switch is thrown, the gas will be shut off and no ignition will be obtained; that a pressurestat shall be installed to shut off gas in the event of pressure over 75 lbs. in vaporizer interconnected with a pressure relief valve as an additional safeguard; that the vaporizer shall be adequately protected with insulating materials; that the Dowtherm storage tank shall be located in the Dowtherm vaporizer room near doorway exit leading to side court and provided with a vent pipe leading to outer air, equipped with a Davey type fine mesh screen; that such tank shall be constructed of not less than 10 gauge material welded in accordance with the Welding Rules and Oil Burner Rules of the Board and mounted on concrete saddle or equivalent with tank openings provided only for suction, return, fill and vent lines and mechanical float valve; that the return line to the storage tank shall be equipped with a pump or ejector to facilitate return of the liquid to the tank; that when the system is not in use it shall be purged by steam and all Dowtherm removed to the storage tank; that no Dowtherm liquid other than in the vaporizer and storage tank shall be stored in the vaporizer room; that a complete list of all controls installed including those herein required and a complete description of their functions shall be filed with the Board; that a complete set of operating instructions, including all precautions to be observed from the start to shut-down to re-starting the system shall also be filed and copy of such instructions kept posted in the vaporizer room accessible to the engineer and a copy of such instructions filed with the local firehouse and with the Boiler Division of the department of housing and buildings; that not less than 400 square inches of fixed louvers shall be installed in the vaporizing room window; that a live steam line shall be installed into fire box of Dowtherm vaporizer with quick opening valve with remote control located outside vaporizer room; that live

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team shall be kept available during operation of the vaporizer; that a 40-gallon portable foam generator or such other equivalent foam extinguishers shall be maintained as the fire commissioner may direct; that a 3-hour partition shall be constructed separating the vaporizer room from the balance of the first story; that door openings shall have fireproof, self-enclosing doors and 6-inch sills; that the exit from cellar boiler room shall be separated from vaporizer room by incombustible material with any opening therein protected by fireproof door and with a 6-inch curbing around stairwell; that all combustible material and combustible partitions shall be removed from vaporizer room; that a 2½-gallon foam extinguisher shall be located on the second story adjacent and accessible to the operator of the coating machine; that no combustible material shall be stored under asphalt tank or within three feet thereof; that iron barriers shall be installed from floor to ceiling to preclude such storage; that the asphalt tank shall be insulated with not less than two inches of incombustible insulating material and the supporting wood beam fire-retarded; that the Dowtherm installation and other boilers shall be under the supervision of a licensed stationary engineer at all times during operation; that the B.T.U. output shall be fixed at 150,000 B.T.U.'s per hour and not to be increased; that the engineer shall be required to inspect the liquid level at the beginning and end of each shift; that remote control valves herein required, shall be grouped together and properly identified by signs or tags; that all Dowtherm lines where exposed, shall be painted white; that in the event of any breakdown in the system, no repairs shall be made without first notifying the boiler division of the department of housing and buildings; that in the starting operation of this equipment, care shall be exercised so as not to fire the boiler too rapidly; that external heating shall be provided, so as to insure that the Dowtherm temperature will not be less than 60° F. at all times; that this equipment shall be shut down and checked weekly and complete inspection and overhauling of all equipment made not less than once each six months; that the installation shall not be further increased; that the installation shall be maintained to the satisfaction of the boiler division of the department of housing and buildings and the fire commissioner.

42-42-A.

APPLICANT—Brown and Matthews, Incorporated, for Farrand Optical Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—4401 Bronx boulevard, northeast corner of Bullard avenue and East 238th street (Block No. 5065, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Frederick Wierk.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (742-42-A)

WHEREAS, Brown and Matthews, Incorporated, for Farrand Optical Company, owner, filed October 19, 1942, an appeal from a decision of the acting borough superintendent, affecting premises 4401 Bronx boulevard, northeast corner of East 238th street and Bullard avenue (Block No. 5065, Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated October 16, 1942, on New Bldg. Applic. 126-42, reads:

"1. Frame construction in a commercial building within the fire limits is contrary to Sections 4.1.2 and 4.2.1 of the Building Code."

and

WHEREAS, the applicant states that the building, which is in the course of erection, will be four stories and basement (44 ft. 6 in.) in height, 60 ft. by 211 ft. 2 in. in area; of Class 1 construction equipped with a sprinkler system (with proposed Class 4 connecting bridges to adjoining building as described in this appeal); located in an unrestricted use district and to be occupied: Cellar, boiler room and storage; 1st, 2nd, 3rd and 4th floors—factory, 80 persons per floor; and

WHEREAS, the applicant states that a new building is being constructed for the U. S. Navy adjacent to the old building located on the plot; that this new building will be employed in the manufacture of instruments needed for Army and Navy use; that both the new and old buildings are of reinforced concrete construction, equipped with sprinklers; that to facilitate supervision and protection, it is necessary to connect the buildings by multiple-floor bridges at appropriate locations; that the buildings were so designed, that at the termination of the existing emergency, they may be completely divorced, each being equipped with all necessary utilities as separate buildings; that the Navy Department has instructed the builders to reduce the amount of strategic materials used in construction and has specifically directed that the connecting bridges be constructed of wood frame construction, in order to reduce cost, expedite completion of the work, minimize the use of critical materials and to establish a type of construction which can readily be removed upon termination of the emergency, in order to effectively divorce the two buildings; that for these reasons, it is requested the Board grant a modification, so as to permit the construction of the connecting bridges, as indicated on plans filed with the borough superintendent October 14, 1942, as amendment to N. B. Applic. 126-42 and as more specifically referred to in paragraph 1b of Navy Department Directive NORD (F) 1121 (CW 6) HBK, dated 8/31/42, which reads:

"Design timber bridges to connect floors of the buildings instead of the type shown."

Resolved, that the decision of the borough superintendent acting on N. B. Applic. 126-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, as to the proposed construction of two bridges connecting the existing and proposed buildings, *on condition* that such bridges shall be constructed substantially as indicated on plans filed with the borough superintendent, identified as Drawings Nos. 14 and 30, except that the interior side wall and ceiling finish at each floor level shall be asbestos board or sheet rock or similar incombustible material instead of plywood, as shown; that these connecting bridges shall be heated and with sprinkler protection as an extension of the sprinkler system in the existing and proposed buildings; that the metal gutters and conductors shown on plans shall be eliminated; that the opening protective assembly at either end of the bridges at each opening on each floor shall be approved for 3-hour fire test and the doors shall be self closing and open from each building to the bridge; that the number of windows on either side of the bridges shall be reduced, so that not more than two windows shall be constructed on either side at any floor level; that such windows shall be located toward the center not nearer to either building than fifteen (15) feet; that this modification is granted only for the term of the emergency, with the understanding at such termination, the connecting bridges herein permitted, shall be entirely removed and each building made to conform with the requirements of all laws, rules and regulations applicable thereto; that the requirements of the resolution adopted by the Board under Cal. No. 447-27-S, applying to the front building at No. 4401 Bronx boulevard, shall be complied with as to the permitted occupancy of seventy-five (75) persons per floor, unless the building is made to conform with all laws, rules and regulations applicable to the present occupancy; that nothing in this resolution shall be interpreted as approving any modification of the Building Code in any respect, other than as it relates to the proposed connecting bridges, which are the subject of this appeal.

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400-42-A.

APPLICANT—American Can Company, owner.

SUBJECT—Application for consideration—reopening and restoration to the calendar—re Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—134-184 43rd street and 4302-4320 Second avenue, southwest corner (Block No. 726, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. N. Didriksen.

ACTION OF BOARD—Appeal reopened, restored to the calendar and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (400-42-A)

WHEREAS, American Can Company, owner, filed May 8, 1942, an appeal from an order and decision of the fire commissioner, premises 134-184 43d street and 4302-4320 Second avenue, southwest corner (Block 726, Lot No. 1), Borough of Brooklyn; and

WHEREAS, this appeal was withdrawn after argument, by the applicant on July 28, 1942 and it is now requested that this appeal be reopened and restored to the Calendar; and,

WHEREAS, Order No. 90743-LC, issued by the fire commissioner March 9, 1942, and repeated in a decision of the fire commissioner, dated May 11, 1942, reads:

"1. Provide an approved storage system for the storage and use of 60 drums of xylol."

and

WHEREAS, the applicant states the building is six stories and basement (88 ft.) in height, 200 ft. 4 in. by 700 ft. in area at 1st floor, 200 ft. 4 in. by 420 ft. in area at typical floor of Class 1 construction; equipped with a sprinkler system and standpipe system; located in an unrestricted district; erected in 1917 and occupied throughout for manufacturing and storage; office, cafeteria and factory on the 6th floor; 50 persons in the cellar, 50 persons on 1st floor, 125 persons on 2nd floor; 200 persons on each of the 3rd, 4th and 5th floors and 125 persons on the 6th floor; and

WHEREAS, the applicant contends that due to existing war conditions, the owner has been compelled to accept delivery of an unusual amount of xylol, which is used as a thinner for lacquers and store the xylol in the former paint shop adjacent to drum storage which is a one-story building forming part of a garage building, No. 3 on the plan filed herewith; that this portion of the building is separated from the garage by double fire doors and both the drum storage and xylol storage is a dead storage operation; that no liquids are dispensed from drums in this building; that as needed, the drums are taken one by one to the oil storage room specially provided for that purpose in the basement of Bldg. No. 1, where those liquids are dispensed from the drum by approved hand pumps with sparkless, dripless spouts and distributed to the various locations in the factory in 1, 2 and 5 gallon safety cans; that the combination drum storage and paint shop building is constructed of brick walls, steel sash and concrete roof; that it is impossible to procure the underground tanks for piping system necessary to comply with the order; that as soon as the present emergency is over, the condition will be corrected; that the company has handled inflammable liquids for many years in many parts of the country without any resulting fires or explosions; and

WHEREAS, Fire Dept. report dated February 26, 1942, indicates that upon inspection it was found that sixty (60) drums of xylol were stored.

Resolved, that the decision of the fire commissioner as to Order No. 90743-LC, be and it hereby is *modified* and that

the appeal be and it hereby is *granted on condition* that the xylol shall be stored in drums within the building indicated on plans filed with this appeal, formerly occupied as a paint shop and constructed throughout of fireproof construction and separated from the balance of the building with unpunctured masonry walls; that the existing ventilators through the roof at either corner of such room, shall be maintained; that there shall be constructed at each entrance door thereto, a sill of concrete not less than 6" in height; that the floor of the room shall be of concrete; that any existing floor drains shall be sealed, so as to preclude any entrance of liquid to the sewer; that the amount of drums stored in such rooms shall not exceed 170; that this modification shall continue only during the present war emergency, in view of the circumstances cited and at the termination of such emergency, the storage of xylol shall comply with the requirements of the Administrative Code therefor.

APPLIANCE AND MATERIALS SUBMITTED FOR APPROVAL.

752-40-SM.

APPLICANT—The Durex Products Company, owner.

SUBJECT—Durex Polished Cast Granite, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative: 0

613-41-SM.

APPLICANT—Quaker Chemical Products Corporation owner.

SUBJECT—Diapene "A" Liquid Flameproofing Compound approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative: 0

785-39-SM.

APPLICANT—Maurice A. Knight, owner.

SUBJECT—Application reopened and restored to calendar October 6, 1942—re Knightware Acid Neutralizing Sumps, approval of (previously dismissed for lack of prosecution).

APPEARANCES—

For Applicant: Fred M. Klein.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative: 0

THE RESOLUTION (785-39-SM)

WHEREAS, Maurice A. Knight, owner, filed on June 1, 1939, an application with the Board of Standards and Appeals for approval of the material known as Knightware Acid Neutralizing Sumps; and

WHEREAS, on June 30, 1942, this application was dismissed for lack of prosecution; and

WHEREAS, the owner requested a reopening of the application and restoration to the Calendar; and

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WHEREAS, the Board reopened this case on October 6, 1942, and referred it to the Committee on Tests for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 9, 1942.

Cal. No. 785-39-SM.

Subject: Knightware Acid Neutralizing Sumps, approval of.

Maurice A. Knight of Akron, Ohio, filed on June 14, 1939 an application with the Board of Standards and Appeals for the approval under C26-178.0b of Knightware Acid Neutralizing Sumps for use under the provisions of C26-1297.0b (14.9.17b), Administrative Building Code.

Knightware Neutralizing Sumps are made of acid-proof glazed tile. The material is unaffected by any acid except hydrofluoric acid. The inlet and outlet are made integral with the body of the sump. The outlet which is connected to the sewer side extends below the liquid level to form a trap. The cover is ground to fit the sump and is provided with 4 bolt holes so that with the rubber gasket which is provided the cover is bolted in place and form a gas tight seal. In operation, the sump is filled with limestone or marble chips. The acid waste percolates through the limestone or marble and is neutralized before entering the sewer. The size of the sump used varies and depends on the number of sinks draining into it and the concentration of the acids, and is accordingly designed to meet the requirements.

A typical installation was inspected and tested on the 15th floor, 80 Maiden Lane, New York City. Interviews with occupants of the building indicated no escape of acid fumes and a record of test samples taken each month over a period of years indicated that the acids had been fully neutralized and the sump functioned as designed.

Recommendations.

On the basis of the foregoing data, the committee recommends that the Knightware Acid Neutralizing Sump be approved for use in New York City provided that the sump has a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 785-39-SM.", that each installation be designed to handle the full acid load and that acid resisting gaskets be provided so as to render the unit gasproof. It is recommended further that with each new charge of limestone or other material placed in the sump, a tag permanently located on the side of the sump be provided stating the date that the last recharge was made.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Knightware Acid Neutralizing Sumps, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

182-41-SA.

APPLICANT—W. F. Tyson, for Carrier Corporation, owner.

SUBJECT—Carrier Home Weathermaker, Type 58D2 (Oil Fired), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (182-41-SA)

WHEREAS, W. F. Tyson, for Carrier Corporation, owner, filed on March 3, 1941, an application with the Board of Standards and Appeals for approval of the appliance known as the Carrier Home Weathermaker, Type 58D2 (Oil Fired); and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 9, 1942.

Re: Cal. No. 182-41-SA.

Subject: Carrier Home Weathermaker, Type 58D2 (Oil Fired), approval of.

The Carrier Corporation of Syracuse, New York, filed on March 3, 1941 an application with the Board of Standards and Appeals for approval of the Carrier Home Weathermaker, Type 58D2, Oil Fired, under the provisions of Section C19-57.0, Administrative Code.

The Carrier Home Weathermaker, Type 58D2, direct oil fired, is designed for small residences. The functions of controlled heating, humidifying, filtering and circulation of air are maintained as follows:

Capacities and Ratings.

Oil Rate, Pilot	1 1/4 gals. /24 hrs.
" " Intermediate	0.36 gal./hr.
" " High	0.72 gal./hr.
Output BTU/hr.	80,000
Humidifier capacity lb/hr.	1.5
Air Capacity CFM at 70°	1,000
Fan Motor	1/6 HP 1725 RPM

The unit is made up of a Fan-Filter section and a Heat Interchanger section assembled as a complete unit at the factory. All parts and controls are built in and are totally enclosed.

The casing is made with leak-tight slip seal joints that assure a tight air circuit. Access is provided to all parts by removable doors. Excessive radiation from the unit is eliminated by circulating cool air between the inner and outer casings.

The fan filter section includes fan and motor assembly, filter and filter frame.

The heat interchanger section includes heat interchanger with combustion chamber, economizer, oil burner, controls and humidifier.

The oil burner is a two stage vaporizing type unit. This burner consists of a stainless steel vapor chamber with a cast iron insert in the bottom. The pilot ring is of stainless steel and the burner ring on top is of high temperature cast iron. An attached centrifugal type blower driven by a separate 1/100 HP motor insures a constant air supply.

The humidifier is of the evaporative pan type. The assembly includes humidifier pan, and float valve.

The pump used is manufactured by Kreisel. The controls consist of automatic pilot Oil Level Valve, Thermostat, a Fan Limit Control.

The burner was operated and tested by the committee and all controls operated as designed. There were no flare backs or undue carbon deposits. The CO² was maintained at 9%. The assembly of parts indicated that replacement parts were interchangeable and that the manufacturers of component parts would

MINUTES

file for approval. The test was conducted at Tarrytown, New York.

Recommendations.

On the basis of the inspection and test, the Committee on Tests recommends that the Carrier Home Weathermaker, Type 58D2 (Oil Fired) be approved for use in New York City with fuel oil not heavier than #3 U. S. Department of Commerce Standard in domestic and commercial installations provided the appliance has a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 182-41-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Carrier Home Weathermaker, Type 58D2 (Oil Fired), on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

376-41-SM.

APPLICANT—George A. Bourne, for St. Paul Corrugating Company, owner.

SUBJECT—Lux-Right Metal Areawalls (for basement window wells), approval of.

APPEARANCES—

For Applicant: George A. Bourne.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (376-41-SM)

WHEREAS, George A. Bourne, for St. Paul Corrugating Company, owner, filed on April 28, 1941, an application with the Board of Standards and Appeals for approval of the material known as the Lux-Right Metal Areawalls (for basement window wells); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 9, 1942.

Re: Cal. No. 376-41-SM.

Subject: Lux-Right Metal Areawalls (for basement window wells), approval of.

The St. Paul Corrugating Company of St. Paul, Minnesota, filed on April 28, 1941, an application with the Board of Standards and Appeals for the approval of their Corrugated Type Areawalls under the provisions of C26-178.0b and C26-16.0. Lux-Right Areawalls are made in two types, straight areawalls with rounded corners and straight front used where the yard space is limited and the round type areawall semicircular in shape providing larger well space and greater light and used where projection into a yard is not a factor.

The areawalls are made from sheet steel. All areawalls less than 5'0" wide are made from #16 gauge and all widths over 5'0" are made from #14 gauge copper bearing steel with corrugations 2 $\frac{5}{8}$ " wide and $\frac{5}{8}$ " deep. Top edge of all walls have a $\frac{3}{4}$ " diameter rolled bead centered over the sheet; lower edge of all

walls 3' high and higher have the same rolled head at the bottom edge. The edges or nailing flanges on both sides of the walls are the corrugated material turned at right angles with the wall itself with the outer edge of the flanges flattened so as to prevent the filtering in the well of the back fill material. These flanges have $\frac{5}{16}$ " diameter nail holes punched into each corrugation with the hole in the upper corrugation being an elongated $\frac{1}{2}$ " hole so as to permit the use of bolts or lag screws for fastening.

After all of the above fabricating is completed, the entire wall is galvanized by the Hot Dip process which gives it a coating of pure zinc averaging from 2 $\frac{1}{2}$ to 3 ounces per square foot of exposed surface. Hardened masonry nails are supplied for fastening the walls to the foundation. Samples of both the straight and round types were submitted to a test at the laboratories of the Pittsburgh Testing Laboratory and identified as Laboratory No. 224044, under conditions simulating those that the areawall is subjected to in actual service.

Four Lux-Right Steel Areawall specimens were submitted for physical test to determine their resistance to a horizontal thrust and the weight of the zinc coating.

These Lux-Right Areawalls were numbered R4320, S4314, R6220 and S6218, all approximately 2' 0" high. Specimens R4320 and R6220 were of the "Round" type and S4314 and S6218 were of the Straight type. Each of the above specimens were rounded over along one edge of the curved surface of the areawall. The end of each of the specimens was flattened and contained nailing holes. All of the specimens were corrugated with the corrugations running lengthwise.

Each of the Lux-Right Steel Areawalls was fastened to wooden planks, with the nails supplied for that purpose. This specimen was then lowered approximately one foot into a wooden box, approximately 6 feet long, 2 feet wide and 2 feet deep. This box contained fine sand which took up all of the space underneath the areawall. A distance of 6 inches remained for the specimen to be compressed into the sand. Two I-beams were placed upon the wooden planks. The load was applied at the center of the I-beams and areawalls.

This arrangement simulating as near as possible the actual loading conditions that would result from the earth crowding against the areawall. The amount of deflection that took place at different loadings, was recorded by a dial gauge (reading to 0.001 inch) that had been placed between the bottom of the wooden planks and the center of the areawall.

The amount of deflection that was produced by a given load on each specimen can be found in Table I. The loads at which buckling occurred are also listed for each specimen.

Table II is a summary of the actual yield load and Maximum Load for each of the specimens.

The average thickness over the galvanized coating for each specimen is tabulated in Table III.

TABLE I.

Table of Deflections of Areawall Specimens at Given Loads.

Load in Pounds	Deflection in inches for Specimens—			
	R4320	S4314	R6220	S6218
314	0	0	0	0
2000	0.106	0.147	0.123	0.21
3000			0.268	
4000	0.218	0.274	0.337	0.41
6000	0.320	0.405	0.452	0.60
8000	0.418	0.582	0.560	0.82
10000	0.526	0.902	0.660	1.08
11000		1.700		
12000	0.683		0.800	1.39
13000	0.792		0.900	1.59
13500			0.955	
14500	1.032		1.120	2.09

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TABLE II

Summary of Load Tests on Areawall Specimens.

	Yield Point Load in Pounds	Maximum Load in Pounds	Remarks
R4320	14500	15400	Buckled 6 in. below nailing ends.
S4314	10800	11350	Failed in center by buckling.
R6220	14500	15850	Failed near end 5 in. below nailing holes.
S6218	14000	16850	Fractured near end 6 in. below nailing holes.

TABLE III.

Specimen	Average thickness of specimen over coating in inches
R4320	0.068
S4314	0.068
R6220	0.84
S6218	0.83

The chemical test on the Lux-Right Areawall specimens was made on small pieces of Areawall metal out from each specimen. One test sample was taken from each end of each specimen after it had failed in the load test. Extreme care was exercised to keep the coating from chipping off while the test pieces were being cut out. The amount of coating was to be determined from the chemical test.

TABLE IV.

The Results of the Chemical Test on Lux-Right Areawall Specimens.

Specimen No.	Amount of zinc coating found on both sides taken as a unit. In ounces per sq. ft. of sheet	Thickness of steel Inches
R4320	5.37	.0622
S4314	5.90	.0613
R6220	6.98	.0733
S6218	5.64	.0733

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval under C26-191.0 of Lux-Right Straight and Round Areawalls as manufactured by the St. Paul Corrugated Company of St. Paul, Minnesota, for use only within the building line and limited to one and two family residence structures in varying widths from 2 ft. to 6 ft. 2 in. for the round type and 2 ft. to 8 ft. for the straight type and to a depth not to exceed 5 ft. provided that the materials used in the additional sizes are proportioned on the basis of the type of material it is used with, so as to develop resistance to lateral pressure with a safety factor of not less than 3. The galvanizing shall be not less than 5 ounces per sq. ft. of sheet as was found in the test specimens.

It is further recommended that each areawall be stamped or stenciled reading as follows: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 376-41-SM." as complying with all the requirements thereof.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Lux-Right Metal Areawall (for basement window wells), on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

Adjourned: 4:25 P. M.

JOSEPH J. DOYLE, Chief Clerk.

415-38-SM.

APPLICANT—E. A. Swenson, for The Flintkote Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution re approval of additional roof specifications re Flintkote Built-up Roofing.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended in accordance with report of Committee on Tests.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (415-38-SM)

WHEREAS, E. A. Swenson, for The Flintkote Company, owner, filed on May 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as Flintkote, 2 and 3 ply Asphalt Felt, slag or gravel surface re-roofing and Flintkote, 3 and 4 ply Asphalt Felt, slag or gravel roofing mineral surface shingle; and

WHEREAS, this material was approved by the Board on July 20, 1938, resolution amended April 18, 1939, on April 1, 1941 and May 19, 1942 and applicant requested a further amendment of the resolution to include the approval of additional roofing materials; and

WHEREAS, this request was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, report of Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

September 29, 1942.

Re: Cal. No. 415-38-SM.

Subject: Amendment of Resolution to include approval of additional roofing materials of the Flintkote Co.

The Flintkote Company of New York filed August 11, 1942, a request for an amendment to the resolution adopted by the Board of Standards and Appeals July 20, 1938, amended April 18, 1939, April 1, 1941 and May 19, 1942 to include additional roofing materials which were tested at the plant of the manufacturer and reported in Report of Committee on Tests, as approved April 18, 1939, in Bulletin No. 17 of Vol. 24, tests Nos. 21 to 25, inclusive, but not included in previous approval recommendations.

Built Up Roofing Material.

Material	Width	Sq. ft. per roll	Published Wgt.—roll	Average Wgt. 5 rolls
Asphalt Felts 12 saturated	36"	432	52	52.8
Tarred Felts 12	36" or 32"	432	52	51.6 to 51.9

Recommendations.

On the basis of the tests conducted it is recommended that these additional roof specifications and the specific roofing materials as herein tested be approved and that the resolution adopted by the Board July 20, 1938, be amended to include these additional roof specifications and roofing materials under the conditions set forth in

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this report and the report of the Committee on Tests dated July 16, 1938.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of additional roofing material.

Resolved, that the Board of Standards and Appeals hereby *amend* its resolution adopted July 20, 1938, amended by resolution of April 18, 1939, April 1, 1941, May 19, 1942, in accordance with the report of the Committee on Tests.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939, EFFECTIVE, IN ACCORDANCE WITH SECTION (665, SUBDIVISION C) 666, PARAGRAPH 2, OF THE NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, October 30, 1942 at 10:30 A. M., Room 1013, Municipal Building, Manhattan, on Proposed Amendment to Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

NOTE—New matter in *italics*; old matter in parenthesis () to be omitted.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph(s) 2 (and 3), of the New York City Charter (and C26-1268.0c 4) (14.7.1.3 BC) (and C26-1277.0h) (14.8.2.8 BC) pertaining to Sections C26-1268.0,c,4. and C26-1277.0h. of the Administrative Code.

Rule 1. Vacuum Breakers.

All vacuum breakers prescribed under these rules shall be set at least four inches above the flood level rim of fixtures or as otherwise specifically provided for in these rules. Each fixture with submerged inlets shall be independently controlled by an approved vacuum breaker or breakers the full size of supply pipe, as set forth in these rules.

Rule (3) 2. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the (overflow) flood level rim of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture, or as otherwise provided for in these rules.

Water supply lines to water preheating apparatus or coils utilizing waste water shall be equipped with an approved vacuum breaker located at least four feet above the highest elevation of the preheating apparatus or coil, with a check valve between the vacuum breaker and the preheating apparatus. Any hot water boiler supplied through such preheating device and having an independent cold water supply line shall have the cold water supply line equipped with a vacuum breaker and check valve located at least four inches above the highest elevation of the boiler.

Rule (1) 3. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly or indirectly from the City

Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the (overflow) flood level rim of the fixture (to prevent siphonage or backflow of contaminating water into the housewater distribution piping checked by the inspector.)

Rule (2) 4. Ballcocks.

All flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than (one half) three-quarter inch above the overflow outlet of the flush tank.

Ballcocks controlling water supply to suction, or other intermediate tanks shall be located at least one inch above the flood level rim of the tank except that in roof tanks equipped with an overflow of a size at least one commercial diameter larger than the water supply pipe, the ballcock may be located two inches above the highest elevation of the overflow pipe. In overflow and emptying pipes of roof, suction and intermediate tanks shall not be directly connected to a drainage system, notwithstanding the permissive provision of Section C26-1273.0,d for connection to a leader.

Rule (4) 5. Sterilizers.

Direct water supply piping connections to all sterilizers are prohibited, *except that any sterilizing unit, which a claim is made that the waste trap seal can be broken by siphonic action or vacuum or that water supply cannot be affected by siphonic action, may be used only when approved by the Board. When approved sterilizers are used, the waste piping (from sterilizers shall not connect directly with a drainage system. (such waste piping shall discharge above an open, water-supplied, trapped and vented fixture).*

Rule (5) 6. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker. The waste pipe for this type of apparatus shall not connect directly with any drainage system (shall discharge above an open, water supplied, trap and vented fixture).

PUBLIC HEARING

Rule (6) 7. Bidets—Bed Pan Washers.

Installation of a bidet is prohibited. Water supply connection to (bidets,) bed pan washers or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker. *Water supply to bed pan washers equipped with an approved vacuum breaker shall be governed by Rule 3.*

Bed pan washers may be equipped with steam sterilizing equipment only when such equipment has been approved by the Board.

Rule 7. Roof or Suction Tanks.)

(Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.)

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well or similar type pumps shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant (agency) from defective condenser

coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation.

Rule 10. Mortuary, Dissection, Operating and Embalming Tables or Equipment.

Mortuary, dissection, operating and embalming tables or equipment shall not be equipped with any submerged water supply inlets. Hose used in connection with such equipment shall terminate at least 18 inches above the maximum table or equipment elevation at which fluids can overflow. The waste pipe for this type of apparatus shall not connect directly with any drainage system.

Rule 11. Dishwashers.

Water supply to automatic dishwashers shall be equipped with an approved vacuum breaker and a check valve between the vacuum breaker and the fixture. The waste pipe for this type of apparatus shall not connect directly to any drainage system.

ANNUAL REPORT

DOCKET

Cases pending December 31, 1940.....	879
Cases filed up to December 31, 1941.....	1116
Returned to Calendar.....	149
MISCELLANEOUS APPLICATIONS	
Requests to reopen.....	586
Requests to amend.....	206
Requests to rescind.....	3
Requests for extension of time.....	88
Requests for extension of permit.....	110
Requests for approval of plans.....	6
Total	3143
Proposed of	2221
Cases pending December 31, 1941.....	922

DISPOSITION OF CASES

Withdrawn	122
Dismissed	43
Denied	171
Granted	24
Granted on condition.....	691
Appliances approved	61
Appliances dismissed, disapproved or withdrawn.....	11
Materials approved	76
Materials dismissed, disapproved or withdrawn.....	23
Rules approved	0
Rules disapproved, rescinded or withdrawn.....	0

MISCELLANEOUS ACTIONS

Requests to reopen granted.....	548
Requests to reopen denied.....	15
Requests to amend granted.....	206
Requests to amend denied.....	0
Requests to rescind granted.....	3
Requests to rescind denied.....	0
Requests for extension of time granted.....	88
Requests for extension of time denied.....	0
Requests for extension of permit granted.....	110
Requests for extension of permit denied.....	0
Plans approved	6
Plans disapproved	0
Requests withdrawn or dismissed.....	23

Total 2221

MONEYS RECEIVED

DESCRIPTIONS	OCT.	NOV.	DEC.	TOTAL	1st QUAR.	2nd QUAR.	3rd QUAR.	GR. T'L.
Bo Bulletin	\$ 89.50	\$ 80.00	\$ 60.00	\$227.50	\$282.50	\$275.00	\$167.50	\$952.50
Cash Sales	27.00	34.60	42.62	104.22	130.51	95.75	109.39	439.87
1 to City Treasurer	\$114.50	\$114.60	\$102.62	\$331.72	\$413.01	\$370.75	\$276.89	\$1392.37

ANNUAL REPORT

CASES FILED AND PENDING 1941

Filed 1941	A	BZ	S	SA	SM	SR	M'L	T'L	GR. T'L
JANUARY	49	26	2	2	10	0	72	161	..
Restored	2	5	0	0	1	0	0	8	169
FEBRUARY ...	46	24	4	6	10	0	99	189	..
Restored	3	8	0	2	0	0	0	13	202
MARCH	37	32	5	8	15	0	92	189	..
Restored	2	8	0	1	1	0	0	12	201
APRIL	57	32	4	6	12	0	89	200	..
Restored	1	10	0	1	0	0	0	12	212
MAY	51	40	5	1	12	0	123	232	..
Restored	7	10	1	2	0	0	0	20	252
JUNE	64	34	5	4	8	0	112	227	..
Restored	2	15	1	0	0	0	0	18	245
JULY	48	33	4	3	8	0	86	182	..
Restored	1	8	0	0	0	0	0	9	191
AUGUST	11	19	1	3	8	1	0	43	..
Restored	0	0	0	0	0	0	0	0	43
SEPTEMBER ..	35	43	3	4	11	1	93	190	..
Restored	7	9	0	2	0	0	0	18	208
OCTOBER	47	12	5	4	16	0	83	167	..
Restored	1	10	0	2	1	0	0	14	181
NOVEMBER ..	56	27	7	4	10	0	68	172	..
Restored	1	9	0	1	1	0	0	12	184
DECEMBER ..	45	21	6	4	5	0	82	163	..
Restored	5	6	1	0	1	0	0	13	176
TOTAL	578	441	54	60	130	2	999	2264	2264
PENDING									
Dec. 31, 1940..	95	276	4	191	311	2	0	879	879
GRAND TOTAL	673	717	58	251	441	4	999	3143	3143
DISPOSITION									
1941									
JANUARY	84	41	2	3	10	0	72	212	..
FEBRUARY ...	40	35	0	4	8	0	99	186	..
MARCH	35	36	4	5	7	0	92	179	577
APRIL	48	40	6	2	14	0	89	199	..
MAY	65	34	10	8	9	0	123	249	..
JUNE	45	32	2	6	9	0	112	206	654
JULY	106	50	8	10	19	0	86	279	..
AUGUST	1	10	0	0	0	0	0	11	..
SEPTEMBER ..	21	27	2	2	5	0	93	150	440
OCTOBER	25	48	1	9	3	0	83	169	..
NOVEMBER ..	53	34	5	3	6	0	68	169	..
DECEMBER ...	61	33	7	20	9	0	82	212	550
TOTAL	584	420	47	72	99	0	999	2221	2221
PENDING									
Dec. 31, 1941..	89	297	11	179	342	4	0	922	922

Code: A—Appeals from Administrative Decisions. BZ—Applications under Building Zone Resolution. S—Application for Variation Labor Law. SA—Applications for Approval of Appliances. SM—Applications for Approval of Materials. SR—Applications Adoption of Rules. M'L Miscellaneous Docket.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building,
Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the Board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to October 27, 1942.

Cal. No. Dept. Premises Affected

745-42-A—H.B.Q.—76-36 137th street, block bounded by Park Drive East, 73rd terrace, 136th street, 137th street and 77th avenue (Block No. 6585, Lot No. 2), Flushing, Borough of Queens, Alt. 1747-42.

746-42-A—F.D.—341 West 72nd street, north side, 280 ft. 5½ in. west of Broadway (Block No. 1164, Lot No. 15), Borough of Manhattan, 31575-L. C. and Decision.

747-42-A—F.D.—10-17 44th avenue, north side, 125 ft. west of 11th street (Block No. 453, Lot No. 6), Long Island City, Borough of Queens, 93155-C.

748-42-S—F.D.—40-09 21st street, east side, 60 ft. south of 40th avenue (Block No. 410, Lot No. 9), Long Island City, Borough of Queens, Decision.

749-42-BZ—H.B.M.—756 St. Nicholas avenue, east side, 437 ft. 8 in. south of West 150th street (Block No. 2053, Lot No. 125), Borough of Manhattan, Decision re Certificate of Occupancy.

750-42-BZ—H.B.M.—876 St. Nicholas avenue, east side, 114 ft. 10 in. north of West 153rd street (Block No. 2069, Lot No. 46), Borough of Manhattan, Decision re Certificate of Occupancy.

751-42-A—H.B.Bx.—900 East 229th street, south side, 901 East 228th street, north side and east side of Bronxwood avenue, from East 228th street to East 229th street (Block No. 4864, Lot No. 35), Borough of The Bronx, B. N. 730-42.

752-42-A—H.B.Q.—48-12 Grand avenue, south side, 41.1 ft. west of 49th street (Block No. 2612, part of Lot No. 1; Block No. 2613, part of Lot Nos. 37, 45 and 48; Block No. 2625, Lot No. 1 and Block No. 2642, Lot No. 105), Maspeth, Borough of Queens (under section 35, General City Law re bed of mapped street—49th and 50th streets), Misc. 5058-42.

753-42-A—F.D.—141-143 Atlantic avenue, north side, 192 ft. 7 in. east of Henry street (Block No. 275, Lot Nos. 13 and 14), Borough of Brooklyn, 92999-C.

754-42-A—F.D.—74-03 45th avenue, northeast corner of 74th street (Block No. 60, Lot No. 1), Elmhurst, Borough of Queens, 92418-L. C. and Decision.

755-42-A—H.B.Bx.—1910 Hennessy place, east side, 106.14 ft. north of West Burnside avenue (Block No. 3228, Lot No. 81), Borough of The Bronx, Amendment to Alt. 454-42.

756-42-A—H.B.Bx.—1100 East 177th street, south side, intersection of Devoe avenue (Block No. 3903, Lot Nos. 89 and 90), Borough of The Bronx, N. B. 164-42.

757-42-A—H.B.B.—1517 54th street, north side, 137 ft. 6 in. east of 15th avenue (Block No. 5477, Lot Nos. 65 and 67), Borough of Brooklyn, Alt. 2907-42.

758-42-A—H.B.B.—316 South 5th street, south side, 80 ft. west of Rodney street (Block No. 2461, Lot No. 12), Borough of Brooklyn, Alt. 4356-41.

759-42-A—H.B.Bx.—Barry street, 100 ft. south of O'Point avenue (Block No. 2605, Lot No. 350 and part of Lot No. 2 and Block No. 2606, part of Lot No. 3), Borough of The Bronx, B. N. 777-42.

760-42-A—H.B.M.—47-49 East 65th street, north side, 134 ft. west of Park avenue (Block No. 1380, Lot No. 3), Borough of Manhattan, Amendment to Alt. 1231-42.

761-42-BZ—H.B.M.—879-887 Eighth avenue and 300 West 53rd street, southwest corner (Block No. 1043, Lot Nos. 33½ to 38 inclusive), Borough of Manhattan, Decision re Certificate of Occupancy.

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182-42-A—F.D.—242 West 41st street, south side, 300 ft. east of Eighth avenue (Block No. 1012, Lot No. 49), Borough of Manhattan, 10448-L. F. and Decisions.

177-42-BZ—H.B.B.—582-610 86th street, southeast corner of Gatling place (Block No. 6054, Lot Nos. 10, 20, 22 and 27), Borough of Brooklyn, N. B. 109-42.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, F.D.—Fire Department.

RULES

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Certificates of Occupancy, approved form	Nov.	25, 1941—Vol. 26, No. 13, 1937—Vol. 22, No. 13
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 13
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June	24, 1941—Vol. 26, No. 3, 1937—Vol. 22, No. 3
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Fire Drill Rules	Aug.	4, 1942—Vol. 27, No. 28, 1942—Vol. 27, No. 16, 1941—Vol. 26, No. 13, 1937—Vol. 22, No. 21, 1919—Vol. 4, No. 20, 1941—Vol. 26, No. 7, 1925—Vol. 10, No. 5, 1928—Vol. 13, No. 22, 1942—Vol. 27, No. 22
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Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 5, 1928—Vol. 13, No. 22, 1942—Vol. 27, No. 22
Hatchway Protection	June	5, 1928—Vol. 13, No. 22, 1942—Vol. 27, No. 22
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CALENDAR

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Oil Burner Rules	Sept. 1, 1942—Vol. 27, No. 32
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Paint, Varnish and Lacquer Spraying Rules	Sept. 8, 1942—Vol. 27, No. 36
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Shipping Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov. 25, 1941—Vol. 26, No. 47A
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Aug. 26, 1941—Vol. 26, No. 34
Working in Factories, Rules for	Oct. 13, 1942—Vol. 27, No. 41
sprinkler Rules	June 29, 1937—Vol. 22, No. 26
and Pipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Electric Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Oil Siphon Valves	Nov. 25, 1941—Vol. 26, No. 47A
Oil Hose Valves	Nov. 25, 1941—Vol. 26, No. 47A
Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47A
Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 47A
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Gas Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Electric Breakers	Nov. 25, 1941—Vol. 26, No. 47A

NOVEMBER 4, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Wednesday morning, November 4, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

625-42-BZ—Application, July 6, 1942, under section 7h of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 ft. in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

625-42-BZ—Application, February 18, 1942, under sections 21 and 7h of the zoning resolution, of Oscar I. Silver, applicant, on behalf of Harry Lipkin, owner, to permit in a business use district, the erection and maintenance of fourteen (14) individual one car garages and six (6) individual one truck garages or to permit the alternate use of premises for parking and storage of more than five (5) motor vehicles; premises 669-677 McDonald avenue, east 40 ft. south of Cortelyou road (Block No. 5385, Lot Nos. 87 and 92), Borough of Brooklyn.

631-42-BZ—Application, August 5, 1942, under section 7h of the zoning resolution, of J. M. Berlinger, applicant, on behalf of Janetta Whitridge, Mary Whitehouse and Robert Aldrich, owners, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 3182, Lot No. 44), Borough of Manhattan.

631-42-BZ—Application, July 21, 1942, under section 7f of the zoning resolution, of Paul Friedman, applicant, on behalf of Lucval Realty Corporation (Homecrest Service Corporation, Incorporated, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1110-1110 (1106-1108 displayed) Avenue T, south side, 40 ft. east of Coney Island avenue (Block No. 7315, Lot No. 19), Borough of Brooklyn.

625-42-BZ—Application, August 18, 1942, under section 7h of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Sylvester Liotta, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1183-1185 Myrtle avenue, north side, 117 ft. 6 in. west of Troutman street and 12 Troutman street (Block No. 3182, Lot Nos. 6, 8 and 16), Borough of Brooklyn.

631-42-BZ—Application, August 18, 1942, under section 7h of the zoning resolution, of Max Siegel, applicant, on behalf of Broad Hill, Incorporated and Park Plains, Incorporated, owners, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1582-1598 White Plains road, 1880 East Tremont avenue, southeast corner and 1569-1577 Unionport road (Block No. 3952, Lot Nos. 1, 5, 6, 8, 9, 10, 11 and 19), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 4, 1942, 2 P. M.

Appeals from Administrative Decisions.

299-42-A—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

624-42-S—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

678-42-A—129-92 Willets Point boulevard, southeast corner of Northern boulevard (Block No. 1833, Lot Nos. 215, 221, 410 and 425), Corona, Borough of Queens.

484-42-S—32-36 to 32-46 47th avenue, south side, from 32nd place to 33rd street (Block No. 252, Lot Nos. 1 and 17), Long Island City, Borough of Queens.

684-42-S—5102-5124 Second avenue, west side, from 51st to 52nd streets, 5101-5123 First avenue, 102-184 51st street and 101-183 52nd street (1st story); (Block No. 796, Lot Nos. 1 and 6), Borough of Brooklyn.

407-42-A—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

690-42-A—80-06 47th (Fitch) avenue, south side, 433 ft. west of 82nd street (Block No. 1536, Lot Nos. 53, 55 and 58), Elmhurst, Borough of Queens.

683-42-S—436-440 Lafayette street, west side, 121 ft. south of Astor place (Block No. 545, Lot No. 34), Borough of Manhattan.

447-42-A—510 Dahill road, west side, 60 ft. south of 40th street (Block No. 5382, Lot No. 26), Borough of Brooklyn.

Appliances for Approval.

134-35-SA—Fluid Heat (Gun Type) Oil Burner, Amendment of Resolution to include additional name "Sherwood".

603-42-SA—Airco Stationary Acetylene Generator, 300 and 500 lbs., approval of.

53-42-SA—Elevator Appliance Company Electro-Mechanical Interlocks, Types CD, CS, DS and ED, approval of.

CALENDAR

NOVEMBER 10, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, November 10, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

363-42-BZ—Application, May 5, 1942, under sections 7c and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adeo, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

651-42-BZ—Application, September 2, 1942, under section 7c of the zoning resolution, of John J. Morro, applicant, on behalf of Paragon Oil Company, Incorporated, owner, to permit in a residence use district, the extension of a gasoline service station; premises 2458-2470 Cropsey avenue, northwest corner of Bay 38th street (unopened); (Block No. 6928, Lot No. 50), Borough of Brooklyn.

617-42-BZ—Application, August 12, 1942, under section 7c of the zoning resolution, of John F. Payne, applicant, on behalf of Socony-Vacuum Oil Company, Incorporated, owner, to permit in a business use district, the erection and maintenance of a new accessory (lubritorium) building on an existing gasoline service station; premises 1979 East 177th street, northwest corner of Pugsley avenue (Block No. 3794, Lot No. 50), Borough of The Bronx.

714-42-BZ—Application, September 30, 1942, under section 21 of the zoning resolution, of John E. Cahill, applicant, on behalf of Louis Grossman, owner, to permit in a residence use and also a G area district, the erection and maintenance of a vestibule (to an existing dwelling) which extends into a front yard required by the zoning resolution; premises 108-26 66th road, south side, 220 ft. east of 108th street (Block No. 5175, Lot No. 18), Forest Hills, Borough of Queens.

556-42-BZ—Application, July 13, 1942, under section 21 of the zoning resolution, of William C. Sommerfeld, applicant, on behalf of Richards Saels Corporation, Incorporated, owner, to permit in a business use district, the maintenance of two (2) sets business (pawnbrokers) signs; premises 9 Columbus avenue, east side, 100 ft. 5 in. north of West 59th street (Block No. 1112, Lot No. 64), Borough of Manhattan.

577-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant, on behalf of Crew Levick Corporation, owner (Joseph E. Johnston, lessee), to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

727-42-BZ—Application, October 7, 1942, under section 21 of the zoning resolution, of Lama and Proskauer, applicant, on behalf of Green Bus Lines, Incorporated, owner, to permit in an undetermined use and also an F area district, the erection and maintenance of an extension to an existing garage for more than five (5) motor vehicles (buses); the said extension does not comply with the setback or with the area requirements of the zoning resolution; premises 148-02 to 148-18 147th avenue, south side, from 148th to 149th streets (Block No. 4233, Lot No. 1), South Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 10, 1942, 2 P. M.

Appliance and Materials for Approval.

473-42-SA—Allen Iron Body 2½ in. Fireline Angle Valve, Type A, 175 lbs. W.W.P.

424-42-SM—Jackson Metal Nailable Studs and Accessories for Non-Bearing Interior and Exterior Partitions (reopened July 28, 1942 re amendment of resolution).

855-41-SM—Swanpruf (Flameproofing Compound).

NOVEMBER 17, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, November 17, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

610-42-BZ—Application, August 6, 1942, under section 7h and 21 of the zoning resolution, of Mac L. Reiser, applicant, on behalf of Mary Oginsky and Philip Oginsky, owners (Martha Kozak, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 336-33 (340 displayed) New Jersey avenue, west side, 125 ft. north of Belmont avenue (Block No. 3738, Lot Nos. 30 and 31), Borough of Brooklyn.

987-41-BZ—Application, November 14, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station; premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 467, Lot No. 6), Borough of Brooklyn.

95-40-BZ—Application of Samuel Rosenblum, applicant on behalf of 40 Central Park South, Incorporated, owner, reopened November 18, 1941, under section 7h of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 41 West 58th street, north side, 120 ft. east of Sixth avenue (Block No. 1274, Lot No. 6), Borough of Manhattan.

215-42-BZ—Application, March 18, 1942, under section 7h of the zoning resolution, of John C. Wandell, applicant on behalf of Society of St. Vincent De Paul, owner (Arthur Stevenson, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 8101-8111 Third avenue and 302-318 81st street, southeast corner (Block No. 5997, Lot Nos. 7 and 11), Borough of Brooklyn.

256-42-BZ—Application, March 27, 1942, under section 21 of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of Handalsons Realty Corporation, owner, to permit in a residence use and also G area district, the conversion of occupancy of a one family dwelling to a two (2) family dwelling; premises 665 East 17th street, east side, 156 ft. 7/8 in. south of Foster avenue (Block No. 5238, Lot No. 3), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 17, 1942, 2 P. M.

Appeal from Administrative Decision.

752-42-A—48-12 Grand avenue, south side, 41.1 ft. west of 49th street (Block No. 2612, part of Lot Nos. 1, 28 and 37), Maspeth, Borough of Queens (under section 35, General City Law re bed of mapped street—49th street and 50th street).

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 27, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning, October 20, 1942 and Tuesday afternoon, October 20, 1942, were approved as printed in Bulletin No. 43, Vol. 27.

ZONING CASES.

63-42-BZ.

APPLICANT—Henry Nordheim, for Estate of Jennie Adee, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, G. B. Fargis and Clifford Adee.

For Opposition: S. M. Birnbaum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 10, 1942 at 10 A. M. for further consideration by the Board.

39-42-BZ.

APPLICANT—Edwin H. Thatcher, for Polytechnic Institute of Brooklyn, owner.

SUBJECT—Application re (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-399 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 4, 1942 at 10 A. M. on written request of applicant.

1076-22-BZ.

APPLICANT—Tobias Goldstone, for Rubar Realty Corporation, owner.

SUBJECT—Application reopened September 22, 1942 (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the alteration and change of use of a building from public garage for more than five (5) motor vehicles to public garage for more than five (5) motor vehicles and a newspaper distributing station, which will include the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—204-210 Saratoga avenue and 29-37 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone.

For Opposition: Benjamin Grindrod, Max Weidmeyer, Robert Weidmeyer and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1076-22-BZ)

WHEREAS, this application, permitting in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles under section 7-g of the zoning resolution, was granted by the Board on November 28, 1922, on certain conditions, affecting premises 204-210 Saratoga avenue and 29-37 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn; and

WHEREAS, Tobias Goldstone, for Rubar Realty Corporation, present owner, requested a reopening of the application and an amendment of the resolution, to permit the alteration and change of use of this building from a public garage for more than five (5) motor vehicles to a public garage for more than five (5) motor vehicles and a newspaper distributing station, which will include the storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board on September 22, 1942, and set for hearing on October 14, 1942; and

WHEREAS, a public hearing was held on this application on October 27, 1942, by the Board of Standards and Appeals, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Hull street, Saratoga avenue and Fulton street are in business use districts; MacDougal street is in business and residence use districts; and

WHEREAS, the decision of the borough superintendent, dated August 14, 1942, re Alt. Applic. No. 2132-42, reads:

"Proposed change of occupancy from that originally approved by the Board of Standards and Appeals to be referred back to the Board for consideration."

and

WHEREAS, the applicant states that it is proposed to erect a firewall dividing the building at approximately 99 ft. west of Saratoga avenue building line and occupy the rear portion west of the proposed wall as a storage garage for twenty-five (25) cars and the front portion, facing on Saratoga avenue, as a newspaper distributing station and as a storage garage for ten (10) cars, which cars are to be used solely for the distributing of newspapers and for offices in connection with said newspaper distributing business; and

WHEREAS, the applicant contends that by subdividing the building and the change of use of the front portion to a use which will be a conforming use other than the storage of ten cars and the reduction in storage and in the traffic of 27 automobiles, which formerly occupied the front portion, the condition of the occupancy and use of the building will be improved; that a survey of the surrounding property indicates that conditions have not changed since the granting of the original variance by the Board, that in view of these facts, it is requested the Board grant a modification and amendment of the original resolution, so as to permit the alteration and use of the building, as proposed; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted November 28, 1922, by adding thereto:

"That in the event the owner desires to occupy the building in part as a storage garage toward the westerly

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end and for the newspaper distributing station and storage of cars used in connection therewith toward the easterly end, as indicated on revised plans marked "Received October 26, 1942", such occupancy may be permitted, provided the middle doorway on Hull street is blocked up; that the entrance for the distributing station shall be normally through the easterly doorway on Hull street; that the existing doorway on Saratoga avenue shall be used only for emergency use and shall be normally kept closed; that there shall be constructed along the northerly wall inside the building, a concrete bumper 8 in. in height and 12 in. in width along the wall for a distance of approximately 35 ft., equivalent to the depth of the adjoining residential building to the north; that the distributing tables shall be made of incombustible materials, with no table placed nearer to the north wall than one foot; that the existing gasoline pumps may be relocated, so that one pump shall be near the doorway to Hull street toward the east and one near the doorway to the storage garage to the west; that such pumps shall be located so as to be at least two feet away from the line of the jamb of the door as extended and shall be protected with concrete curbing to prevent damage to the pump; that a masonry wall shall be constructed from floor to ceiling for the full height of the building to separate the westerly space to be occupied as a storage garage from the easterly space to be occupied for newspaper distribution; that such wall shall be fire-stopped through to the roof boarding; that there shall be constructed in such wall a fire-door approved for 1½ hours at either side of such wall to provide a second means of exit but normally kept closed; that there shall be no loading or unloading of newspapers other than inside the easterly portion of the building; that no motor vehicles used in such distribution service shall be at any time parked outside opposite adjoining buildings; that the work of distributing newspapers shall be maintained with as little noise as possible so as to be reasonably unobjectionable to adjoining occupancies; that no openings shall be constructed in the northerly or westerly walls; that no repairing of motor vehicles shall be performed on the premises; that no gasoline shall be sold to passing motor vehicles, except from the pump located in the storage garage portion of the premises; that all permits required shall be obtained and all work completed within six (6) months from the date of this amended resolution."

217-42-BZ.

APPLICANT—Henry Nordheim, for Mollie Barth, owner.
SUBJECT—Application (re decision of the acting borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—158 East 205th street, south side, 80 ft. east of Grand Concourse (Block No. 3311, Lot No. 105), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and Mollie Barth.
For Opposition: None.
For Administration: Fred Dallem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (217-42-BZ)

WHEREAS, Henry Nordheim, for Mollie Barth owner, filed March 18, 1942, an application under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the park-

ing and storage of more than five (5) motor vehicles; premises: 158 East 205th street, south side, 80 ft. east of Grand Concourse (Block No. 3311, Lot No. 105), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 27, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that East 205th street and Grand Concourse are in a residence use district; East 204th Street is in a business use district; and

WHEREAS, the decision of the borough superintendent, dated March 5, 1942, reads:

"Please be advised that your application for a certificate of occupancy for the parking and storage of more than five (5) motor vehicles at the above premises, is denied, as:

1. Premises are located partly in a residence district and partly in a business district, where such use is prohibited by Art. 2, Sections 3 and 4, respectively, of the Zoning Resolution of the City of New York."

and

WHEREAS, the applicant states that the premises have a frontage of 53 ft. on East 205th street and a depth of 130 ft., an irregular shaped area at rear of plot (having a depth of approximately 18 ft.) is located in a business use district; that the remainder of the plot is in a residence use district; that upon the plot are located a 2-story frame dwelling, a 2-car metal garage and a 2-car masonry garage; that it is proposed to use part of the vacant portion of the plot for a term of two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the Board found that Certificate of Occupancy, No. 886, issued December 11, 1928, filed by the applicant does not apply to the premises in question, but apparently applied to a garage formerly erected on the adjoining lot, No. 107, and which was demolished upon erection of the present multiple dwelling on the plot and should now be cancelled; and

WHEREAS, Certificate of Occupancy No. 990 was issued August 18, 1922, against N.B. Application No. 804-22 for the existing two-car metal garage now on the front of lot 105, but no permit or certificate of occupancy appears to have been issued for the two-car masonry garage behind the metal garage; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution and that the application be and it hereby is granted under section 7-h thereof for a term of two (2) years from the date of this resolution, to permit the unbuilt-upon portion of the premises to be occupied for the parking and storage of not over ten (10) motor vehicles in addition to the storage in existing garages, on condition that such cars parked or stored shall be of the pleasure-car type only and only those in condition for operation; that the premises shall be maintained in a neat condition and adequately fenced; that an adequate barricade or fence shall be maintained toward the rear of the plot at the top of the sloping portion; that no signs shall be erected on the premises advertising the parking and storage use, except there may be a sign at the entrance, advertising such use and the rates charged, provided the sign does not exceed ten (10) square feet in area; that the existing curb cut may be maintained and shall not be increased; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

558-42-BZ.

APPLICANT—Fairgate Holding Corporation, owner.
SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution

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to permit partly in a retail use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 101), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Francis Finkelhor and A. J. Jinishian.

For Opposition: None.

For Administration: Fred Dahlem and Joseph A. Burke, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (558-42-BZ)

WHEREAS, Fairgate Holding Corporation, owner, filed July 3, 1942, an application under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 96-05 63rd road, northeast corner of 96th street (Block No. 2085, Lot Nos. 155, 157, 159 and 101), Rego Park, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 27, 1942 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 63rd road is in a business and retail use district; 96th street, is in a residence, business and retail use district; 97th street is in a residence and business use district; and 62nd drive is in a residence and retail use district; and

WHEREAS, the decision of the borough superintendent dated June 26, 1942, on Misc. Applic. No. 3420-42, reads:

"1. The use of these premises for the parking and storage of more than five motor vehicles in a business district and extending into a residence district, is contrary to Art. 2, Sec. 3 and 4a, Subdivision 15 of the zoning resolution. Not further considered."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 105 ft. on 63rd road and 232 ft. on 96th street, that the northerly part of the plot extends into a residence use district for a distance of approximately 132 ft., the remainder is in a business use district; that it is proposed to use the plot, for a term of two years, for parking and storage of more than five motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision h of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7h hereof for a term of two (2) years from the date of this resolution, to permit the parking and storage of more than five (5) motor vehicles on lots 101, 155, 157 and 159 of Block No. 2085, *on condition* that the entire plot shall be graded substantially to the grade of 63d road and shall be surfaced with clean gravel, steam cinders or other suitable material properly rolled and treated with an asphalt binder; that there shall be maintained on the interior lot lines and street building line, a substantial fence not less than 5 feet in height; that such fence may be of wood and along 63d road and for a distance of 100 feet down 96th street and shall be of the picket type; that such fence shall be kept painted and maintained in good structural condition; that

entrance to the premises shall be solely from 96th street with two entrances, each not over 15 feet in width, one toward the north and one toward the south with curb-cuts opposite of similar width; that proper aisles shall be maintained at all times for easy entrance and egress; that during the term of this variance, the premises shall be used for no other use and no cars shall be stored thereon except those of the pleasure-car type and those in operable condition; that no building shall be erected on the premises, except there may be erected a building not over 100 sq. ft. in area or one story in height, to be occupied solely as an office and shelter for the attendant; that such building may be of frame and located near the proposed southerly entrance substantially where shown on plans filed with this application; that no parking shall be maintained within the bed of 96th street; that no signs shall be erected on the premises, except there may be a sign attached to the fence near 63d road, advertising the parking and storage use, provided such sign is not over 15 sq. ft. in area, does not extend beyond the building line and is not illuminated and advertises only the parking and storage use and the rates charged; that all permits required shall be obtained and all work completed within six (6) months from the date of this resolution.

APPEAL FROM ADMINISTRATIVE DECISION.

673-42-A.

APPLICANT—Tobias Goldstone, for Rubar Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—204-210 Saratoga avenue and 29 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: Tobias Goldstone.

For Opposition: Benjamin Grindrod, Max Weidmeyer, Robert Weidmeyer and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (673-42-A)

WHEREAS, Tobias Goldstone, for Rubar Realty Corporation, owner, filed on September 14, 1942, an appeal from a decision of the borough superintendent, affecting premises: 204-10 Saratoga avenue, and 29-37 Hull street, northwest corner (Block No. 1531, Lot No. 38), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated September 19, 1942, on Alt. Applic. 2132-42 reads:

"Proposed to store newspapers in a divided form where volatile oils are stored, is contrary to Ch. 19.149.0, Ch. 19.65 of the Adm. Code."

and

WHEREAS, the applicant states that the building is one story (15 ft.) in height, 73 ft. 11 in. by 150 ft. in area, of class 3 construction, located in a business use district, erected in 1923 and occupied: cellar—boiler room; 1st floor—storage garage for more than 5 cars; proposed to be used: cellar—same; 1st floor—storage garage and newspaper distributing station; and

WHEREAS, the applicant contends that the building was originally erected under N. B. Applic. No. 806-23, pursuant to a variance granted by the Board under Cal. No. 1076-22-BZ and two 550 gallon gasoline storage tanks and two approved pumps were installed; that it is proposed to sub-divide this building by a fire wall and to use the rear portion for the storage garage for approximately 25 cars and the front

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portion of the building as a newspaper distributing station and for the storage of 10 automobiles, which automobiles are to be used in the conduct of the newspaper distributing business; that it is proposed to relocate the present pump in the rear portion of the building and to allow the present pump to remain at the front of the building; that the relocated pumps will serve the automobiles stored in the storage portion of the building and the front pump will be used for serving gasoline to the automobiles stored in the front portion of the building; that all newspapers will be received at the front of the building and will be sorted and counted therein; that there will be no waste paper left on the premises at any time and all newspaper returns will be immediately dispatched to the publishers; that all newspapers will be removed from the premises within a few hours after receipt; that it is absolutely essential for the applicant to store gasoline in the transacting of his business.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. #2132-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the requirements of the amended resolution adopted this day under Cal. No. 1076-22-BZ shall be complied with and that no volatile oil shall be stored in the building, except that gasoline may be stored in tanks installed in accordance with the requirements and except in the tanks of the motor vehicles stored on the premises; that no lubricating oil or grease shall be stored in the portion of the building proposed to be occupied as a distributing station for newspapers.

Adjourned: 11:50 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 27, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

177-42-BZ.

APPLICANT—Lama and Proskauer, for John F. McKenna, owner.

SUBJECT—Application for consideration on a new proposal (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in a business use and partly in a residence use district, the erection and maintenance of a business building (stores, bowling alleys and skating rink); the proposed building does not comply with section 19h of the zoning resolution (previously granted on condition for a term of two (2) years re parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—582-610 86th street, southeast corner of Gatling place (Block No. 6054, Lot Nos. 19, 20, 22 and 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

504-27-BZ.

APPLICANT—Colonial Beacon Oil Company, for Hanlyn Realty Corporation, owner.

SUBJECT—Application for consideration—reopening an extension of time—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration and reconstruction of a gasoline station, previously granted by the Board, so as to include lubricatorium and auto laundry and also the use of part of the plot for parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—200-218 West 230th street and 5485 Broadway, southwest corner (Block No. 3402, Lot No. 652), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy
Negative:

THE RESOLUTION (504-27-BZ)

WHEREAS, this application, to permit in a business use district, the erection and maintenance of a gasoline service station, affecting premises 200-218 West 230th street and 5485 Broadway, southwest corner (Block No. 3402, Lot No. 652), Borough of The Bronx, was granted by the Board on October 28, 1927; resolution amended October 28, 1941, resolution further amended and plans approved, December 1, 1941, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals do hereby *amend* the resolution of October 28, 1927, as amended October 28, 1941, and December 16, 1941, only in so far as it has reference to the completion of the work, so that amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of the amended resolution."

158-36-BZ.

APPLICANT—Francis Finkelhor, for Gustave Lindell, lessee (City of New York, present owner).

SUBJECT—Application for consideration—reopening an extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, for a period of two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—83-26 Austin street, south side 180 ft. east of Lefferts boulevard (Block No. 3338, part of Lot No. 25), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Francis Finkelhor.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy
Negative:

THE RESOLUTION (158-36-BZ)

WHEREAS, Gustave Lindell, for Kew Club Realty Corporation, owner, filed, May 29, 1936, an application under section 7h of the zoning resolution, to permit in a business use district the storage and parking of more than five (5) motor vehicles; premises: 83-26 Austin street, south side, 180 ft. east of Lefferts boulevard (Block No. 3338, part of Lot No. 25), Kew Gardens, Borough of Queens; and

WHEREAS, this application was granted by the Board November 24, 1936, on certain conditions, permit extended September 27, 1938 and September 10, 1940; and

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WHEREAS, Francis Finkelhor, for Gustave Lindell, lessee (City of New York, present owner), requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board of November 24, 1936, as amended on September 27, 1938 and September 10, 1940, only so far as it has reference to term of permit, so that as amended that portion of the resolution shall read:

"granted, under section 7, subdivision h, for a term of two (2) years, from the date of this *amended resolution*."

615-37-BZ.

APPLICANT—Joseph Maggio, lessee, for Beers Trusts (Lucius H. Beers and Sherman Baldwin, trustees), owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting for a temporary term of two (2) years, in a retail use district, the storage and parking of more than five (5) motor vehicles.

PREMISES AFFECTED—456-460 West 41st street, south side, 100 ft. east of Tenth avenue (Block No. 1050, Lot Nos. 59, 60 and 60½), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Maggio.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (615-37-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, to permit in a retail use district the parking and storage of more than five (5) motor vehicles, premises 456-460 West 41st street, south side, 100 ft. east of Tenth avenue (Block No. 1050, Lot Nos. 59, 60 and 60½), Borough of Manhattan, was granted by the Board June 21, 1938, on certain conditions, permit extended November 13, 1940, and applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on June 21, 1938, as amended on November 13, 1940, only so far as it refers to the term of the permit, so that as amended this portion of the resolution shall read:

"granted, under section 7h thereof, for a temporary term of two (2) years from the date of this *amended resolution*."

1183-39-BZ.

APPLICANT—Thomas F. McCarthy, for Stephen Mauriello, present owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting partly in a business use and partly in a residence use district, for a period of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3057 Webster avenue, north side, 298.78 ft. east of Moshulu Parkway North (Block No. 3331, Lot No. 73), Borough of The Bronx.

APPEARANCES—

For Applicant: Thomas F. McCarthy.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1183-39-BZ)

WHEREAS, Henry Nordheim, for Josephine Mauriello, owner, filed September 26, 1939, an application under section 7f of the zoning resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3057 Webster avenue, north side, 298.78 ft. east of Moshulu Parkway North (Block No. 3331, Lot No. 73), Borough of The Bronx; and

WHEREAS, this application was granted by the Board on October 1, 1940, on certain conditions and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 1, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted under section 7f for a term of two (2) years from the date of this *amended resolution*."

1493-39-BZ.

APPLICANT—Henry W. S. Bangert, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—88-05 to 88-11 168th place, east side, 37.50 ft. south of 88th avenue (Block No. 9820 (892), Lots Nos. 38 and 41), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Henry W. S. Bangert.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1493-39-BZ)

WHEREAS, Valentine Bangert, for Henry W. S. Bangert, owner, filed December 11, 1937, application under section 7h of the zoning resolution, to permit in a residence use district the parking and storage of more than five (5) motor vehicles; premises 88-05 and 88-11 168th place, east side, 37.50 ft. south of 88th avenue (Block No. 9820 (892), Lot Nos. 38 and 41), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board on November 13, 1940, on certain conditions and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of November 13, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this *amended resolution* to permit * * *"

493-41-BZ.

APPLICANT—Colonial Beacon Oil Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the erection and maintenance of an accessory building on an existing gasoline service station.

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PREMISES AFFECTED—2322-2326 First avenue and 401 East 119th street, northeast corner (Block No. 1807, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (493-41-BZ)

WHEREAS, Joseph B. Lynch, for Colonial Beacon Oil Company, owner, filed May 31, 1941, an application under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of an accessory building on an existing gasoline service station; premises 2322-2326 First avenue and 401 East 119th street, northeast corner (Block No. 1807, Lot No. 1), Borough of Manhattan; and

WHEREAS, this application was granted by the Board on September 30, 1941, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of September 30, 1941, only in so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution."

762-41-BZ.

APPLICANT—Arthur Harris (lessee), for The Guardian Life Insurance Company of America, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting the alteration and conversion of occupancy of part of an existing building, located partly in a business use and partly in a residence use district, to a public restaurant; also the proposed alteration does not comply with the building zone resolution as to the location of entrances to and show windows in the proposed business use.

PREMISES AFFECTED—82-84 Pierrepont street and 178 Henry street, southwest corner (Block No. 242, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur Harris.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (762-41-BZ)

WHEREAS, this application, to permit the alteration, conversion of occupancy of part of an existing building located partly in a business use district and partly in a residence use district, to a public restaurant; also the proposed alteration does not comply with the requirements of the building zone resolution as to the location of entrances to and show windows in the proposed business use; premises 82-84 Pierrepont street and 178 Henry street, southwest corner (Block No. 242, Lot No. 37), Borough of Brooklyn, was granted by the Board January 27, 1942, on certain conditions, under section 7c of the zoning resolution, time extended April 28, 1942 and applicant requested a further extension of time to complete the work; and

WHEREAS, the applicant states that all of the requirements of the Board's resolution adopted January 27, 1942, as amended April 28, 1942, have been complied with and that the only work remaining to be done is additional work not required under the Board's resolution, and that all permits have been obtained.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on January 27, 1942, as amended April 28, 1942, only so far as it has reference to completion of the work, so that as amended, this portion of the resolution shall read:

"that all work shall be completed within three (3) months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

439-42-A.

APPLICANT—15-17 West 84th street, Incorporated, owner (Herman Mermeistein, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—15 West 84th street, north side, 220 ft. west of Central Park West (Block No. 1198, Lot No. 23); (1st floor west—front room), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry C. Kane.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Hearing closed. Appeal laid over for decision by the Board; no date set.

746-42-A.

APPLICANT—Rodney M. Ollinger, for Wood-Dolson Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—241 West 72nd street, north side, 280 ft. 5½ in. west of Broadway (Block No. 1164, Lot No. 15), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph G. Jaffe, Rodney M. Ollinger and W. H. Peepels.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to January 26, 1943, for further consideration by the Board after Mr. Ollinger has taken a Civil Service Examination and obtained a certificate from the Boiler Squad, and on the understanding that the system shall not be operated but that the refrigerant shall be pumped down into the receiver.

182-42-A.

APPLICANT—New York Tribune, Incorporated, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from an order and decisions of the fire commissioner (previously withdrawn).

PREMISES AFFECTED—242 West 41st street, south side, 300 ft. east of Eighth avenue (Block No. 1012, Lot No. 49), Borough of Manhattan.

APPEARANCES—

For Applicant: E. G. Manion.

ACTION OF BOARD—Appeal reopened and restored to the Calendar, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy

Negative: 0

706-42-A.

APPLICANT—Elias K. Herzog, for New York City Omnibus Corporation, owner (West Shore Service Station, Incorporated, lessee).

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SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—653 West 42nd street, northwest corner of 12th avenue (Block No. 1090, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

80-42-A.

APPLICANT—Morris Sendar, for 127 Fourth Avenue Corporation, owner (Sendar and Kay Company, Incorporated, lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—127-133 Fourth avenue and 100-104 East 13th street, southeast corner (Block No. 558, Lot Nos. 7 and 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Daniel J. Levowits, Morris Sendar and Joseph Lau.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (80-42-A)

WHEREAS, Morris Sendar, for 127 Fourth Avenue Corp., owner (Sendar and Kay Co., Inc., lessee), filed January 26, 1942, an appeal from an order and decision of the fire commissioner, premises 127-133 Fourth avenue and 100-104 East 13th street, southeast corner (Block No. 558, Lot Nos. 7 and 10), Borough of Manhattan; and

WHEREAS, Order No. 8941-LF, issued by the fire commissioner June 19, 1940, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner in cellar. C19-161.0, Adm. Code."

and

WHEREAS, the decision of the fire commissioner, dated December 30, 1941, reads:

"In reference to your request to accept an opening from sidewalk to cellar in lieu of the automatic sprinkler system required by item 1 or Order 8941-LF, an inspection has been made and the proposed opening is not considered adequate, your request must therefore be denied."

and

WHEREAS, the applicant states the building is 7 stories (84 ft. 8 in.) in height, 75 ft. by 91 ft. 7 in., irregular, in area; of Class 3 construction; erected in 1895; located in a business district; occupied: cellar, storage, shipping, 2 persons; 1st floor, salesroom, office, 8 persons; 2nd floor to 7th floor, warehouse, 1 person per floor, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends the building is equipped with a standpipe system, is occupied by one tenant throughout in business of distribution of china and glassware; that the six upper floors are used for warehouse purposes; that the 2nd floor is used for salesroom and office and cellar is used for shipping and warehouse purposes; that the cost of installing a sprinkler system in the cellar would be prohibitive; that in lieu of installing same, it is proposed to construct a fireproof stairway from cellar to street on the Fourth avenue side of building, as shown on plans filed with this appeal, thus giving direct access from the cellar

to the street; that in addition thereto, such packing material as may be used in the cellar, will be kept in all-metal containers; that there are 16 water pails and fire extinguishers on each floor of the building, including the cellar.

Resolved, that the order of the fire commissioner, Order No. 8941-LF, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing exits consisting of two stairways from the 13th Street side to the basement, shall be maintained and in addition, a new stairway shall be constructed substantially as indicated on plans filed with this appeal, marked "Received January 26, 1942", leading from the main cellar to the existing vestibule leading to Fourth Avenue; that the proposal as to maintaining packing material in the cellar in metal containers shall be complied with; that such portable fire-fighting appliances shall be furnished and maintained as the fire commissioner shall direct; that proper plans shall be filed with the Department of Housing and Buildings for the proposed stairway; that the standpipe system shall be maintained to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

102-42-S.

APPLICANT—Alfred H. Eccles, for Bernadel Realty Corporation, owner.

SUBJECT—Variation of the labor law as cited in decisions of the borough superintendent.

PREMISES AFFECTED—40-09 21st street, east side, 58.22 ft. south of 40th avenue (Block No. 410, Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (102-42-S)

WHEREAS, Alfred H. Eccles, for Bernadel Realty Corporation, owner, filed February 3, 1942, an application for variation of the labor law, as cited in decisions of the borough superintendent; premises 40-09 21st street, east side, 58.22 ft. south of 40th avenue (Block No. 410, Lot No. 9), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated February 2, 1942, on Misc. Applic. 402-41, reads:

"6c. Partitions not made of incombustible materials.

Wood partitions allowed provided the following is complied with:

1. Automatic sprinklers.
2. Space used for offices or show rooms.
3. Separated from other portions by partitions of incombustible materials.

(Sec. 270 sub. 6 Labor Law)"

and

WHEREAS, the decision of the borough superintendent, dated October 19, 1942, re Misc. Applic. 402-41, reads:

"9. The two subdivided floor areas on the 5th floor are not provided with two means of egress for each of the two tenants (Sec. 270 sub. 3, L.L.)."

and

WHEREAS, the applicant states that the building is six stories (75 ft.) in height, 241 ft. 11 in. by 48 ft. 6 in. and 56 ft. 8 in. in area; of Class 1 construction; erected in 1920; located in an unrestricted use district and occupied: 1st floor, mfg. surgical bandages, 27 persons; 2nd floor, machine shop, 59 persons; 3d floor, textile printing, 40 persons; 4th floor, woodworking shop, 39 persons; 5th floor, printing-machine shop, 39 persons; 6th floor, mfg. electrical appliances and novelties, 40 persons; proposed to be occupied:

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same on all floors; number of persons per floor as follows: 1st, 50; 2nd, 59; 3rd, 4th, 5th and 6th, 50 persons per floor; that the building is equipped with a sprinkler system and a standpipe system; that there are two 38 in. interior stairs constructed of reinforced concrete with 6 in. terra cotta enclosures; equipped with fireproof, self-closing doors; and

WHEREAS, the applicant contends as to objection 6-c, that the partitions are existing and were erected prior to the time the present owner took title and are located on all floors; that permission is requested to continue the use of the combustible partitions on all floors except those in the office spaces on the 3rd and 6th floors, which are permitted by reason of the fact they are separated from the rooms in which manufacturing is done by partitions of incombustible material; that each floor is occupied by a single tenant, except the fifth floor which is occupied by two tenants; and

WHEREAS, the applicant contends as to Objection No. 9, that the northerly half of the 5th floor is occupied by a printing shop with 25 persons and is served by a fireproof stairway at the northwest corner of the building and has a secondary means of egress by means of an automatic fire door leading to the elevator corridor at the center of the building, where access is maintained to the southerly half of the building through a similar automatic fire door and egress can be had through the machine shop, which occupies the southerly half of the floor, to a fireproof stairway, which serves the machine shop as a primary means of egress and that the secondary means of egress for the machine shop is through the same automatic fire door elevator corridor and the second automatic fire door leading to the printing shop on the north side and thence to the primary means of egress located at the northwest corner of the building, as shown on plan filed with the borough superintendent, October 19, 1942; that the availability of the secondary means of egress for each half of the fifth floor is maintained by inspection by the superintendent of the building each night, to insure that the automatic fire doors leading to each space are not closed unless the tenant of the space at the opposite end of the building has ceased work, so that at all times during working hours, each tenant has available the secondary means of egress through the elevator corridor, as indicated on plans; that the space occupied by each tenant is separated from the balance of the floor by 4-inch terra cotta partitions to ceiling and the small number of occupants in each half of the floor would be provided a safe place of refuge within the elevator corridor, even if the tenant occupying the other half of the building had inadvertently locked the fire door; and

WHEREAS, Violation No. 2726-40 issued October 10, 1941, was for change in occupancy from factory to tenant factory without securing a new certificate of occupancy and the erection of partitions subdividing buildings enclosing rest rooms, toilets, offices, etc., without securing the approval of the Department of Housing and Buildings; exits obstructed by partitions; exit lights and signs not provided; doors in partitions not open in direction of egress and not 44 inches wide; and

WHEREAS, Violation No. 2727-40 issued December 29, 1941, was for erecting combustible partitions in fireproof building, which is in violation of Section 270 of the Labor Law; and

WHEREAS, Misc. Applic. 402-41 was filed to remove these violations; and

WHEREAS, the existing Certificate of Occ. Q7016B issued Feb. 8, 1923, permitted the use of the building, which is classified as brick construction, to be used as a loft building throughout, 150 lbs. liveload. Number of occupants permitted—not stated.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Misc. Applic. No. 402-41, and the application be and it hereby is *granted* as to Objection No. 6c, *on condition* that all wood partitions throughout the building, not meeting the requirements of the Building Code or the Labor Law therefor, shall be removed within two years or replaced by

lawful partitions; that any bins or racks shall have a clear space over same of at least 18 inches under the sprinkler; as to Objection No. 9, that the doors in the partition as shown shall be maintained and left open at all times during working hours, so as to provide a second means of exit to either portion of the fifth floor; that the conditions as shown on plans filed with the borough superintendent under Misc. Applic. No. 402-41, dated October 19, 1942, are considered as the basis of this variance; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as varied by the Board under Cal. No. 748-42-S; that Certificate of Occupancy No. Q7016B shall be corrected by the issuance of a new certificate, correctly setting forth the construction and height of the building, the permitted occupancy per floor and the permitted use of the building.

646-42-S.

APPLICANT—Levy and Berger, for Perma Holding Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—1882-1886 86th street and 8602-8612 19th avenue, southwest corner (2nd floor); (Block No. 6371, Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Levy, Jr.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (646-42-S)

WHEREAS, Levy and Berger, for Perma Holding Corporation, owner, filed on August 31, 1942, an application for variation of the requirements of the Labor Law affecting premises 1882-1884 86th street and 8602-8612 19th avenue, southwest corner (2nd floor); (Block No. 6371, Lot No. 53), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated August 31, 1942 on Alt. Applic. No. 2496-42 reads:

"1. Provide two means of egress from 2nd floor complying with the provisions of Sec. 270 of the Labor Law."

and

WHEREAS, the applicant states that the building is two stories (28 ft.) in height, 40 ft. by 100 ft. in area at first floor, 40 ft. by 30 ft. in area at typical floor; of class 3 construction, erected in 1918, located in a business use district and occupied: cellar—boiler room and storage; 1st floor—stores; 2nd floor—store and showroom—25 persons; no change in use or occupancy is proposed, except for the 2nd floor, which will be used for light manufacturing with an occupancy of 35 persons; that the building is equipped with one 4 ft. wide stairs of wood construction enclosed in wood studs, metal lath, 3 1/4 in. Portland cement mortar both sides at first story and 6 in. terra cotta blocks at 2nd story and equipped with fireproof self-closing door; that Certificate of Occupancy No. 95540 issued February 14, 1940, permits the use of the building as stores and showroom with a total occupancy of 25 persons on the 2nd floor and indicates the liveload of the building to be 75 lbs. on the first floor and on the 2nd floor; and

WHEREAS, the applicant contends that the building was erected as a post office and was later altered into stores and showroom; that it is proposed to change the use of the second floor for light manufacturing of ladies' blouses and sportswear, 35 persons with the present liveload of 75 lbs. per sq. ft.; that one exit will consist of the existing wood stairway enclosed in fire-retarded partition and soffit of stairs is fire-retarded; that the present hall of the 2nd

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tory is now enclosed in 6 in. terra cotta blocks with 2 ft. in. by 7 ft. fireproof self-closing door leading to hall; that the stairway is now provided with two sprinkler heads connected from the domestic water supply system; that the proposed secondary exit will consist of a fire-escape balcony 4 ft. wide with 22 in. clear, 45 degree counter-balanced stairs on the 86th street front, as indicated on plans filed with the borough superintendent; that only the second floor will be used for manufacturing and this floor has sufficient exits for the small area and the small occupancy.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. No. 2496-42, and that the application be and it hereby is *granted* as to Objection No. 1 *on condition* that the area of the second floor shall not be extended; that the existing stairway to 19th avenue shall be maintained; that the door leading thereto from the second floor, shall be made 3 ft. 8 in. in width; that there shall be installed as proposed, a counter balanced ladder on the 86th street side, as indicated on plans filed with the borough superintendent dated August 24, 1942; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. No. 739-42-A.

739-42-A.

APPLICANT—Levy and Berger, for Perma Holding Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1882-1886 86th street and 8602-8612 19th avenue, southwest corner (2nd floor); (Block No. 6371, Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Levy, Jr.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (739-42-A)

WHEREAS, Levy and Berger, for Perma Holding Corporation, owner, filed on October 16, 1942, an appeal from a decision of the borough superintendent affecting premises 1882-1884 86th street, and 8602-8612 19th avenue, southwest corner (2nd floor); (Block No. 6371, Lot No. 53), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated August 28, 1942, on Alt. Applic. No. 2496-42 reads:

"2. Live load of 75 lbs. per sq. ft. for factory is not acceptable as 120 lbs. per sq. ft. is required by Sec. 7.3.2.3 of Building Code."

and
WHEREAS, the applicant states that the building is two stories (28 ft.) in height, 40 ft. by 100 ft. in area, at first floor—40 ft. by 30 ft. in area at 2nd floor, of class 3 construction, erected in 1918, located in a business use district and occupied: cellar—boiler room and storage—no persons; 1st floor—stores; 2nd floor—store and showroom—25 persons; proposed to be occupied: cellar—same; 1st floor—same; 2nd floor—light manufacturing of ladies' blouses and sportswear—35 persons, for which Certificate of Occupancy No. 95440 was issued February 14, 1940, permitting the use of the building as stores and showroom; and

WHEREAS, the applicant contends that the 2nd floor of the building is only 40 ft. by 30 ft. in area and it is designed to carry a live load of 75 pounds per sq. ft.; that this floor will be used for light manufacturing only, in which light sewing machines are used for manufacturing ladies' blouses

and sportswear and that the load will be posted in a conspicuous place and will not be exceeded at any time.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 2496-42, Obj. No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the requirements of the resolution adopted by the Board under Cal. No. 646-42-S shall be complied with; that the occupancy of the second floor shall at no time exceed the proposed live load of 75 pounds per superficial foot and that the live load on this floor shall be so posted.

748-42-S.

APPLICANT—Pathe Engineering and Tool Manufacturing Division of Ley Realty Co., Inc., lessee (Bernadel Realty Corporation, owner).

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—40-09 21st street, east side, 60 ft. south of 40th avenue (Block No. 410, Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Sidney Mattisen.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (748-42-S)

WHEREAS, Pathe Engineering and Tool Manufacturing Division of Ley Realty Co., Inc., applicant and lessee, for Bernadel Realty Corporation, owner, filed on October 21, 1942, an application for variation of the labor law, premises 40-09 21st street, east side, 60 ft. south of 40th avenue (Block No. 410, Lot No. 9), Long Island City, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated September 22, 1942, reads:

"In response to your communication of September 18th with respect to the bolting of exit doors of premises at 40-09 21st Street, Queens, you will please be advised that your request to install panic bolts or any other type of bolt is denied.

The provisions of the Labor Law are mandatory and the Fire Commissioner is left no discretion. The law provides that all doors leading into and out of any factory in the State of New York must be maintained unbolted, unlocked and unfastened during working hours."

and

WHEREAS, the applicant was convicted on September 25, 1942, on two charges of violating the Labor Law (locked doors) and fined \$50 and \$100 in the Magistrate's Court; and

WHEREAS, the building is as described in Calendar No. 102-42-S; and

WHEREAS, the applicant contends that it operates a tool and metal manufacturing business on the 2nd floor; that the materials manufactured are non-inflammable and are essential for national defense; that the applicant has been instructed by the Federal authorities to install a panic bolt on the door leading to the northerly stairway, second floor, as indicated on diagram filed with this application marked "Received October 21, 1942"; that the building is fully sprinklered; that there is an entrance door, which is maintained at the westerly end of the building, where persons desiring to enter the plant, are interviewed; that egress can be had to the opposite half of the floor by means of fire doors dividing the two portions of the floor occupied by the applicant; that only one person in the plant is qualified to determine who may be admitted and it is essential all persons be admitted only through the entrance where the in-

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interviewing staff is maintained marked "Main Exit" on plan filed with this application; and that permission is requested for the duration of the war, to maintain a panic bolt on the second floor exit door, as indicated on plans; and

WHEREAS, it appears that the building is not equipped with an automatic fire alarm system as stated by the applicant.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the fire commissioner dated September 22, 1942, and the application be and it hereby is *granted on condition* that no door shall be equipped with a panic bolt except the exit door to the northwest corner of the building leading to stairway to street, as indicated on plan filed with this application marked "Received October 21, 1942"; that such panic bolt shall be of an approved type; that the fire doors toward the center of the floor at the elevator lobby, shall remain openable at all times during working hours; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as varied by the Board under Cal. No. 102-42-S; that this variance shall continue only during the term of the present emergency.

759-42-A.

APPLICANT—C. J. Taylor for National Gypsum Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—South side of Oak Point avenue, 83.02 ft. south of the intersection of Barry street (Block No. 2605, Lot No. 350 and part of Lot No. 2 and Block No. 2606, part of Lot No. 3), Borough of The Bronx.

APPEARANCES—

For Applicant: Cyrus J. Taylor.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (759-42-A)

WHEREAS, C. J. Taylor, for National Gypsum Company, owner, filed October 26, 1942, an appeal from a decision of the acting borough superintendent, premises south side of Oak Point avenue, 82.03 ft. south of the intersection of Barry street (Block No. 2605, Lot No. 350 and part of Lot No. 2, and Block No. 2606, part of Lot No. 3), Borough of The Bronx; and

WHEREAS, the decision of the acting borough superintendent, re B. N. 777-42, dated October 26, 1942, reads:

"2. Proposed use of frame construction for this loading bin within the fire limits is contrary to Section 4.1.2 and 4.2.1 of the Building Code."

and

WHEREAS, the applicant states that the premises consist of a plot approximately 360 ft. by 800 ft. in area; located in an unrestricted use district, upon which there exists the plant of the National Gypsum Company and upon which it is proposed to erect a frame loading bin approximately 47 ft. by 33 ft. in area, where shown on plans filed with this appeal, marked "Received October 27, 1942" and constructed to a height of approximately 55 ft.; of Class 4 construction with steel supports, as indicated on Plan No. P-138422 filed October 20, 1942, with Building Notice 772-42 with the borough superintendent, Department of Housing and Buildings; that the proposed Class 4 construction above the steel supporting members will consist of wood studs surfaced on the interior with 2-inch wood siding; that the loading bin is to be used for the loading of Bauxite into railroad cars on trucks located under the proposed loading bin; and

WHEREAS, the applicant contends that wood frame construction has been designed, because it is impossible to obtain the steel studs to construct a steel bin; that the proposed bin will be a temporary structure to facilitate loading of Bauxite into railroad cars for shipment to the Aluminum Company of Canada and will be of no use to the owners of these premises after the present emergency is over and consequently the loading bin will be demolished.

Resolved, that the decision of the acting borough superintendent, on B. N. 777-42, Obj. No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed loading bin shall be constructed substantially as indicated on plans filed with the borough superintendent dated October 20, 1942 and for use only during the term of the present war emergency, for the purpose proposed; that at the end of such emergency the structure shall be entirely removed.

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

226-35-SA.

APPLICANT—United Stove Company, owner.

SUBJECT—Savoil Cabinet Heaters and Cooker, Models 100, 200, 201 and 300, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

533-38-SM.

APPLICANT—American 3 Way-Luxfer Prism Co., Inc., owner.

SUBJECT—Approval of Daylight Rooflights, manufactured by American 3 Way-Luxfer Prism Co., Inc.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

DISMISSALS.

The chairman called attention to the fact where the following applicants had filed applications with the Board for approval of their respective appliances and materials; and

WHEREAS, the applicants were duly advised by the Board to prosecute their applications for approval; and

WHEREAS, the applicants failed to complete the papers in the subject cases or failed to prosecute the applications for approval, as follows:

166-34-SA.

APPLICANT—Lynn Products Company, owner; Murray Cohen, agent.

SUBJECT—Application reopened October 28, 1941 re Lynn Power Oil Burner, Models 1B, 1F-2A-2C and 3A, approval of (previously approved re Models 1, 2 and 3).

DATE FILED—October 14, 1941.

289-37-SA.

APPLICANT—Erik B. Anderson, for Alida Manufacturing Company, owner.

SUBJECT—Lido Oil Burner, Models D and C, approval of.

DATE FILED—June 14, 1937.

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49-39-SM.

APPLICANT—Plastics Products Company, owner.
SUBJECT—Plastoid Closet Bowl Compound, approval of.
DATE FILED—June 7, 1939.

42-41-SM.

APPLICANT—Elias Goff, for Brikerete Associates, Incorporated, owner.
SUBJECT—Brikerete, approval of.
DATE FILED—February 17, 1941.

38-41-SM.

APPLICANT—Louis J. Gouin, owner.
SUBJECT—Gouin Sanitary Toilet Seat Lift, approval of.
DATE FILED—March 21, 1941.

90-41-SM.

APPLICANT—Imperia Brothers, owner.
SUBJECT—Imperia Concrete Blocks, approval of.
DATE FILED—April 7, 1941.

45-41-SM.

APPLICANT—Walker American Corporation, owner.
SUBJECT—Walker Plastic Molded Screen (wall covering), approval of.
DATE FILED—April 19, 1941.

20-41-SM.

APPLICANT—World Dyeing and Finishing Company, Incorporated, owner.
SUBJECT—World Dyeing and Finishing Company Flameproofing Compound, approval of.
DATE FILED—May 7, 1941.

41-41-BZ.

APPLICANT—Klink Chemical Corporation, owner.
SUBJECT—Klink Flameproofing Compound, approval of.
DATE FILED—May 14, 1941.

46-41-SM.

APPLICANT—Chelsea Realistic Products, Incorporated, owner.
SUBJECT—Chelsea Realistic Products, Incorporated, Sodium Silicate, approval of.
DATE FILED—May 15, 1941.

52-41-SM.

APPLICANT—W. J. Sutcliffe Company, owner.
SUBJECT—"Flozon" Paints and Varnishes, approval of.
DATE FILED—May 20, 1941.

28-41-SM.

APPLICANT—Seal-O-Sash Company, owner.
SUBJECT—Seal-O-Sash (for protecting and preserving Steel Sash), approval of.
DATE FILED—June 10, 1941.

53-41-SM.

APPLICANT—Weyerhaeuser Sales Company, owner.
SUBJECT—Weyerhaeuser Nu-Loc Studding, approval of.
DATE FILED—July 16, 1941.

37-41-SM.

APPLICANT—Radiator Specialty Company, owner.
SUBJECT—Titesal (joint sealing product), approval of.
DATE FILED—July 23, 1941.

92-41-SM.

APPLICANT—Miller Marine Decking, Incorporated, owner.
SUBJECT—Miller Marine Decking Incorporated Magnesite Composition Flooring, approval of.
DATE FILED—July 25, 1941.

921-41-SM.

APPLICANT—The Korfund Company, Incorporated, owner.
SUBJECT—Korfund Steel Bound Natural Cork Plates, approval of.
DATE FILED—October 30, 1941.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

Resolved, that the foregoing applications be and they hereby are *dismissed* for lack of prosecution.

56-42-SM.

APPLICANT—Emanuel M. Glick, for Armstrong Cork Company, owner.
SUBJECT—Armstrong's Cushiontone (Acoustical Material), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (56-42-SM)

WHEREAS, Emanuel M. Glick, for Armstrong Cork Company, owner, filed on January 16, 1942, an application with the Board of Standards and Appeals for approval of the material known as Armstrong's Cushiontone (Acoustical Material); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 26, 1942.

Re: Cal. No. 56-42-SM.

Subject: Approval of Armstrong's Cushiontone.

The Armstrong Cork Co. of New York, N. Y., filed on January 16, 1941, with the Board of Standards and Appeals an application under the requirements of Section C26-178.0b of the Administrative Code for approval of its material known as Armstrong's Cushiontone for use as an acoustical material under the pertinent provisions of the Administrative Code.

Armstrong's Cushiontone consists of wood chips of Southern Yellow Pine pulped and formed into a fibrous board of specified thickness, which is then cut into standard sizes. After inspection as to size and thickness, the four edges of the tile are beveled and the surface of the tile mechanically perforated with 484 3/16 in. diameter holes to each square foot. After another inspection for uniformity in size, thickness and accuracy of the drilled holes, a two-coat casein paint finish is applied. After drying, the material is again inspected and packed in cartons for shipment.

Color, sizes and thicknesses are as follows:

Standard color:

Ivory.

Standard Thicknesses:

A1—1/2 in. perforations 3/8 in. deep.

A2—5/8 in. perforations 1/2 in. deep.

A3—7/8 in. perforations 3/4 in. deep.

Standard unit sizes:

12 in. by 12 in., 12 in. by 24 in.

Cushiontone can be installed on any rigid, level surface by the use of an approved acoustical cement and may be erected by a mechanical system where desired or may be erected to furring strips by nailing. Four holes in each corner of each unit are "short drilled"

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to provide adequate nail holding facilities for the last-mentioned type of construction.

Tests on Armstrong's Cushiontone reported in Bulletin VIII of the Acoustical Materials Association, indicate that the noise reduction coefficients of this material range from .55 for 1/2 in. thickness to .75 for 7/8 in. thickness, with variations in between due to types of mountings. The following table shows these variations:

Material	Thickness	Mounting	Noise Reduction Coefficient	Size Tested
Cushiontone	1/2 in.	1	.55	12" x 12"
Cushiontone	1/2 in.	2	.60	12" x 12"
Cushiontone	5/8 in.	1	.60	12" x 12"
Cushiontone	5/8 in.	2	.60	12" x 12"
Cushiontone	7/8 in.	1	.70	12" x 12"
Cushiontone	7/8 in.	2	.75	12" x 12"

Mounting #1—Cemented to plaster board, considered equivalent to cementing to plaster or concrete ceiling.

Mounting #2—Nailed to 1 in. by 2 in. furring, 12 in. o.c.

Tests on Cushiontone made by the U. S. Department of Commerce Bureau of Standards (Report dated October 17, 1941) show the following sound absorption qualities: (Samples consisted of 72 12 in. by 12 in. units; Nos. 1, 2 and 3 were nailed to 13/16 in. x 2 in. furring, 12 in. on centers; Nos. 4, 5 and 6 were cemented to gypsum wallboard.)

Frequency (cycles per second)	Coefficient of Sound Absorption					
	No. 1 1/2 in.	No. 2 5/8 in.	No. 3 7/8 in.	No. 4 1/2 in.	No. 5 5/8 in.	No. 6 7/8 in.
128	0.07	0.06	0.10	0.06	0.08	0.09
256	.46	.49	.54	.18	.19	.25
512	.59	.68	.77	.56	.63	.73
1024	.67	.83	.91	.71	.82	.84
2048	.74	.76	.69	.65	.74	.67
4096	.68	.74	.67	.57	.81	.56
Noise coefficient	.60	.70	.75	.55	.60	.60
Wt. in pounds						
p. s. f.	.79	.91	1.19	.79	.91	1.19

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval, under Section C26-191.0 of the Administrative Code, of Armstrong's Cushiontone as acoustical material for use in New York City under the pertinent provisions of the Code. This material may not be used where combustible materials are prohibited. The Committee further recommends that each package or container of these acoustical materials, for use in New York City, be marked, stamped or labelled "Approved for Use in New York City by the Board of Standards and Appeals under Cal. No. 56-42-SM". The Committee also recommends that the applicant expedite their request for approval of the basic fibre board used herein and filed under Cal. No. 483-40-SM.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Armstrong's Cushiontone (Acoustical Material), on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

147-42-SA.

APPLICANT—Staley Elevator Company, Incorporated owner.

SUBJECT—Staley Elevator Hoistway Door Interlock, Type RL-2, approval of.

APPEARANCES—

For Applicant: Fred M. Sollay and A. M. Fristad

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy

Negative:

THE RESOLUTION (147-42-SA)

WHEREAS, Staley Elevator Company, Incorporated, owner filed on February 19, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the Staley Elevator Hoistway Door Interlock, Type RL-2; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 17, 1942.

Re: Cal. No. 147-42-SA.

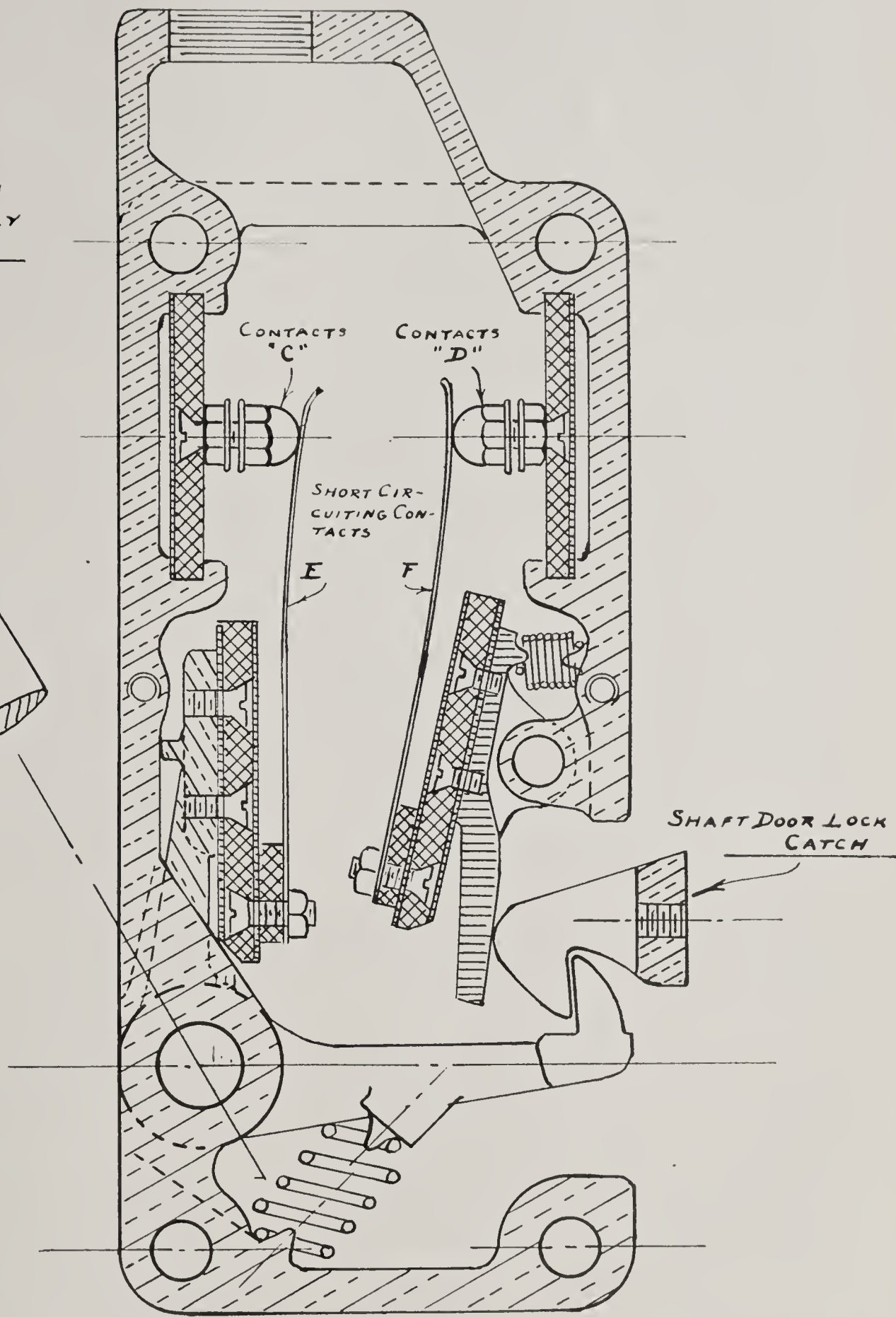
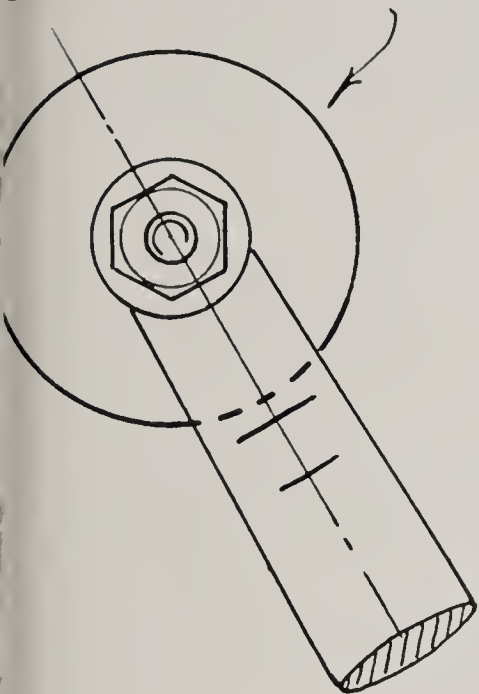
Subject: Staley Elevator Hoistway Door Interlock Type RL-2, approval of.

The Staley Elevator Company, Inc., filed on February 19, 1942, with the Board of Standards and Appeals an application for approval of its appliance known as the Staley Elevator Hoistway Door Interlock, Type RL-2, under the requirements of Sec. C26-178.0, b and Article 14 of the Administrative Code.

The Staley Elevator Hoistway Door Interlock, Type RL-2 (Figure 1), is a double contact door lock for use on swinging doors and in conjunction with a retiring cam on the car. The interlock consists of a cast iron box approximately 8 in. x 3 1/8 in. x 1 1/2 in. deep. Two sets of contacts, shown at C and D, are each fastened to a bakelite insulating strip, and mounted, one on each side of the box. Each set of contacts consists of two brass studs between which a circuit can be made or broken by means of the short circuiting strips E and I respectively. These short circuiting strips, or contacts made of Phosphor Bronze are mounted on bakelite insulation. The short circuiting strip F is mounted on a cast iron lever, which in turn is secured to the box by means of a steel pin in such a manner that the short circuiting strip assembly is free to move through a limited arc about this pin as a center. Contact at I is made or broken by the movement of the lever attached to F. Normally the contacts at D are held open by a compression spring, and are only closed when the door lock catch enters the box and presses against the contact lever. The short circuiting strip assembly E is mounted on a bronze "Latch and Contact Arm" which in turn is securely fastened by means of a set screw to a cold rolled steel shaft which passes through bearing holes in the box and permits a slight angular movement of contact strip E, thereby making or breaking the contact at C. Normally the contact at C is held closed by a compression spring, and in this position the "Latch and Contact Arm" lock the Door Lock Catch thereby preventing the opening of the hoistway door. The malleable iron lock release arm located on the outside of the box is secured by a set screw to the shaft which also carries the latch and contact arm. A wooden roller on the end of the lock release arm is adjusted to make contact with the retiring cam attached to the car when the retiring cam drops. On the back the box is closed by means of a .020" thick sheet steel with a strip of mica insulation on the inside. The front cover is a cast iron casting, also provided with mica insulation on the inside.

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LOCK RELEASE ARM
CONTROLLED INDIRECTLY
BY THE CAR DOOR



MATERIAL

BAKELITE -  
BRONZE CASTING - 
GREY IRON 

FIG. 1.

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Operation.

The interlock is mounted on the side of the door buck, approximately 3" from the top of the buck, and the door lock catch mounted on the door in such a position that it will properly engage the contact lever and latch arm when the door is closed. The lock release arm is adjusted on the shaft in such a position that with the retiring cam raised the roller just clears the cam. When the car comes to a stop, the gate operator functions mechanically or else a separate motor de-energizes and permits the retiring cam to drop down by gravity and spring action to its non-operating position, thereby engaging the lock release arm on the interlock shaft. This action rotates the latch and contact arm which unlocks the door by releasing the door lock catch and opens the control circuit at Contacts C. On opening the door the circuit is broken at D by the removal of the door lock catch from the box. When the hoistway door is closed, the door lock catch engages with the contact lever and closes the contacts D through the strip F. This permits the energizing of the mechanism operating the retiring cam which is then drawn to its "up" position. The lock release arm follows the motion of the retiring cam to the limit of the release arm travel, thus rotating the contact strip E and the Latch and Contact Arm G. The arm G thus engages the Door Lock Catch, locking the door until such time as the retiring cam again operates the release arm. After the arm G has engaged the Door Lock Catch, the contacts C are short circuited by the strip E and permit the control circuit of the car to be energized.

Samples of this interlock were subjected by Columbia University Testing Laboratories (Report No. E-1) to each of the following tests as prescribed by Article 14 of the Administrative Code and the Report indicates that the interlock has successfully met the requirements thereof.

1. Endurance Test —C26-1180.0
2. Current Interruption Test—C26-1181.0
3. Test in Moist Atmosphere—C26-1182.0
4. Test without Lubrication —C26-1183.0
5. Misalignment Test —C26-1184.0
6. Insulation Test —C26-1185.0

The applicant has filed a letter, dated June 15, 1942, certifying that the clearances between working parts of this appliance are such that it will successfully function within the temperature range set forth in Sec. C26-1179.0.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval of the Staley Elevator Hoistway Door Interlock, Type RL-2, as having met the requirements of Article 14 of the Administrative Code for use in New York City, when installed in accordance with the pertinent provisions of the Administrative Code. All appliances manufactured under this approval shall be marked with a decalcomania reading: "Approved by the Board of Standards and Appeals under Cal. No. 147-42-SA". This approval supersedes all other existing approvals.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and
WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Staley Elevator

Hoistway Door Interlock, Type RL-2, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

221-42-SA.

APPLICANT—Smith Welding Equipment Corporation, owner.

SUBJECT—Smith's Type D and Type J Portable Acetylene Generators, K815, K830, K850, K1515, K1530 and K1550, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (221-42-SA)

WHEREAS, the Smith Welding Equipment Corporation, owner, filed on March 19, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as Smith's Type D and Type J Portable Acetylene Generators, K815, K830, K850, K1515, K1530 and K1550; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 26, 1942.

Re: Cal. No. 221-42-SA.

Subject: Smith's Type D and J Portable Acetylene Generators, K815, K830, K850, K1515, K1530 and K1550.

The Smith Welding Equipment Corporation of Minneapolis, Minnesota, filed March 19, 1942, an application with the Board of Standards and Appeals for approval of the above Acetylene generators under the provision of C19-92.0 and C19-93.0 Administrative Building Code.

These are portable automatic medium pressure (no over 15 lbs. per square inch) acetylene generators of the carbide to water feed type, using #14 N.D. (no dust carbide). Automatic feeding of carbide is obtained by the rise and fall of pressure within the generator, which actuates a flexible diaphragm connected to the feed valve rod. The design of the feed valve hopper is such that it must be removed from the generator before it can be changed. The apparatus is designed to be transported from place to place. The generators are made in 15 lb., 30 lb. and 50 lb. capacities. The 15 lb. generator has a maximum rated capacity per hour of 30 cu. ft.; the 30 lb. of 50 cu. ft. and the 50 lb. of 100 cu. ft.

Construction Details:

Generator Shell—The cylindrical portion, as well as the top is of No. 16 USg (0.062 in.) black iron, while the bottom is of No. 14 USg (0.078 in.) material. A vertical and circumferential joints in the assembly are welded. The bottom is welded to the shell at a height such as to raise it well above the floor. The lower rim of the shell is reinforced by a band-iron ring spot welded in place.

Generating water is admitted into the machine through the mouth of the shell when the carbide hopper is removed. A standard pipe ell, normally closed by a plug is welded to the side of the generator as a water level indicator. The proper amount of water is introduced into the machine when overflow occurs at the fitting.

Two steel studs diametrically opposite each other are welded to the top of the generator. These studs engage slotted openings in extensions of the hopper base cast

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ing and are provided with nuts for securing the hopper in place on the shell. A steel flange is welded to the mouth of the generator and serves as a seat for the hopper gasket.

This machine is provided with a revolving sludge agitator that consists of a cold-rolled steel shaft welded to a sheet-steel paddle. The outer end of the shaft passes through a stuffing box welded to the shell, while its opposite end is supported by a sheet-steel bracket welded in place.

A removable sheet-steel splash tube is inserted into the mouth of the generator to assist in avoiding the splashing of water on the feed valve during the time the machine is being moved. Substantial carrying handles are provided on the generator. These handles are formed from cold-rolled steel and their ends are welded in place on diametrically opposite sides of the shell. The sludge outlet valve is of cast iron and is of the threaded plug type. It is screwed on a short pipe nipple welded to the generator.

Carbide Hopper—The conical bottom and the cylindrical portion are formed from No. 16 USg (0.062 in.) black iron. All joints in the assembly are welded. After the hopper is assembled, it is given a heavy coat of asphaltic base paint to retard corrosion. A heavy cast-iron base is bronze welded to the mouth of the hopper. This base is constructed with a centrally-positioned opening for reception of the carbide feed rod. The lower face of the base is constructed with a circular raised seat. Slots are provided in the extended ends of the base, which, when the hopper is in position, engage the retaining studs welded to the top of the generator. A rubber face gasket is used for making up the joint between the hopper base and the flange welded to the mouth of the generator. When the nuts on the retaining studs are properly tightened a leak-tight joint is made. A cast angle iron is bronze welded to the upper rim of the hopper body for making attachment of the cast-iron bonnet, which is secured by 14 cap screws. The hopper is charged with carbide through a spud bronze welded to the conical bottom. This flange is tapped for reception of the carbide filling plug which is provided with a rubber gasket.

Feeding Mechanism—The feed rod is of $\frac{5}{8}$ in. cold-rolled steel, and its lower end is machined with a circumferential groove. The diameter of the rod with relation to the opening in the hopper mouth is such that a close fit is obtained when the feed mechanism is in the closed position. A bronze boss is welded to the upper portion of the rod to prevent it from falling through the carbide feed valve should the rod become disengaged. The upper end of the feed rod is pivoted to a cast-iron swivel by a rivet, the end of which is well peened over. The threaded portion of the swivel passes through an opening in the diaphragm and is screwed into the cast-iron spring base. The two steel pressure springs are slipped over the upper end of the spring base and their lower ends seat on an integrally-cast shoulder. A shouldered cast-iron follower seats on the upper ends of the spring and is normally in contact with the pressure adjusting screw threaded into the spring housing.

An opening is provided in the spring base for reception of a horizontal semisteel crank, the ends of which are supported by projecting into openings in the spring housing. A brass machine screw threaded into the spring housing engages a circumferential recess in the crank. This screw prevents the crank from working out of position, but still permits it to rotate. One end of the crank is provided with a cast-iron lever secured by a steel pin. When the feed mechanism is placed in the locked position, the spring-loaded locking pin on the lever engages an opening in the spring housing. This generator is placed in operation by releasing the locking lever. The lever is then rotated through a small arc until a pressure of approximately 4 lb. per sq. in. is built up in the generator. Subsequently, the

feeding mechanism will operate automatically in accordance with the demand for gas.

Feeding of carbide is dependent upon the rise and fall of pressure within the generator, which acts on the diaphragm, thus imparting a reciprocating motion to the feed rod. The springs acting on the diaphragm tend to hold the feed rod in the open position. As gas is generated, pressure on the diaphragm compresses the springs and raises the rod above the feed position. When the pressure decreases the rod again assumes the feed position, thus permitting another feed of carbide. When there is no pressure in the generator, the feed rod drops to the point where it closes the mouth of the hopper. Similarly, in case of diaphragm failure sufficient to relieve the pressure within the generator, the feed rod will assume the closed position. Adjustment of the operating pressure is obtained by turning the adjusting screw down until a predetermined pressure is obtained. The length of the adjusting screw and the strength of the pressure springs are such that a pressure in excess of 15 lb. per sq. in. cannot be obtained even with the screw turned all the way down. The feed valve is located at a height of at least 10 in. above the level of the generating water.

Flash-Back Check is formed from No. 16 USg (0.062 in.) sheet steel with welded joints. After forming the assembly is given a heavy coat of asphaltic base paint to retard corrosion. Water is introduced into the flash-back check through a spud welded to the side of the body. A pipe ell normally closed by a plug is threaded on the spud. The proper amount of water is admitted into the flash-back check when overflow occurs at the fill fitting. Another spud provided with a plug is welded to the bottom of the assembly to drain the water chamber. The cover is of cast iron and is secured by nine cap screws to a ring welded to the upper end of the body. The joint between the cover and ring is made up with a rubber face gasket. A spud, on which is threaded a pipe tee, is welded in place on the top of the generator. A brass check lift type of check valve is installed in the connecting piping to prevent water being forced back into the generator due to a back pressure of oxygen from an improperly operating torch.

The upper portion of the flash-back check is filled with hair felt which is located between two screens attached to the centrally-located gas inlet pipe threaded into an opening in the cover. All piping and fittings used in the assembly of this machine are galvanized.

Relief Valve—This generator is provided with only one relief valve which is connected to the flash-back check cover and is of the spring-loaded diaphragm type. The words "Never set to over 15 lb. per sq. in." are cast on the valve bonnet.

Interference Mechanism—The relief valve interference is so constructed that it must be operated during the cleaning and recharging period. It consists of a rod, one end of which is secured to the valve operating stem. A sheet-steel plate in the form of an angle is attached to the opposite end of the rod. This plate covers one of the hopper retaining studs welded to the top of the generator. Before the carbide hopper can be removed for recharging, it is necessary to raise the interference rod, in order to clear the stud, thus operating the relief valve.

The Type J generator differs from the Type D in that it has a carbide observation window in the hopper made of duolite safety glass partitioned in a casting welded to the hopper and sealed from leakage by a gasket on the inner side of the glass, and one on the outer side of the glass held in place by a cast clamping ring, non-mechanical circulation of all water in the generator by means of a pump incorporating the principle that utilizes the generated acetylene to circulate all the water. There are no moving parts. A regulating unit to regulate outlet pressure is built into the outlet of each Type J.

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These generators have been approved by the Underwriters Laboratories Guide #20.CS.05 File A62X. These generators were inspected and tested by the Committee on Tests of this Board, accompanied by the representative of the Division of Combustibles, Fire Department, at Teaneck, N. J., and found to operate as designed. The models differ as to size and capacity, as follows:

Type D—K815 15 lbs. shell diam. 18" and Type J K1515
K830 30 lbs. shell diam. 21" and Type J K1530
K850 50 lbs. shell diam. 24" and Type J K1550

Recommendations.

On the basis of the inspection and test and the report of the Underwriters Laboratories, the Committee recommends the approval of the Smith's Type D and J Portable Acetylene Generator, K815, K830, K850, K1515, K1530 and K1550, provided the generators are constructed and operated in accordance with this report and the provisions of C19-92.0 and C19-93.0 of the Administrative Building Code, where legally permitted to be installed and operated and that each generator shall have a label permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 221-42-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and
WHEREAS, this report recommended the approval of this appliance.
Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as Smith's Type D and Type J Portable Acetylene Generators, K815, K830, K850, K1515, K1530 and K1550, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

222-42-SA.
APPLICANT—Smith Welding Equipment Corporation, owner.
SUBJECT—Smith's Type L Stationary Acetylene Generators, K2100, K2200, K2300 and K2500, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (222-42-SA)

WHEREAS, the Smith Welding Equipment Corporation, owner, filed on March 19, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as Smith's Type L Stationary Acetylene Generators, K2100, K2200, K2300 and K2500; and
WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and
WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 14, 1942.
Re: Cal. No. 222-42-SA.
Subject: Smith's Type L Stationary Acetylene Generators, K2100, K2200, K2300 and K2500, approval of.

The Smith Welding Equipment Corporation of Minneapolis, Minnesota, filed on March 19, 1942 an application with the Board of Standards and Appeals for approval of the above appliances under the provisions of C19-92.0 and C19-93.0 of the Administrative Building Code.

General Character:

This is a stationary automatic acetylene generator of the medium pressure type (not over 15 psi) for use with oxy-acetylene welding and cutting systems. It is of the carbide-to-water feed type employing 1/4 by 1/1 in. carbide. The feed mechanism is of the table type operated by a gas-driven motor. Energy for driving the motor is derived from the rise and fall of pressure within the generating chamber, which forces gas through the motor in accordance with the demand. A photograph of the 200 lb. size of machine, which is representative of the other sizes in which the generator made, is on file.

Sizes:

This generator is made in the following sizes:

Model No.	Carbide Capacity (1/4 by 1/12 in. Carbide)—1 lb.	Generating Water Capacity — Gal.	Rated G. Product Capacity CFH
K2100	100	100	200
K2200	200	200	400
K2300	300	300	600
K2500	500	500	1000

Each machine has a rated maximum gas producing capacity (double rating of 2 cfh per pound of carbide). The water capacity of the generating chamber of each size of machine is such that not less than one gallon of water is provided for each pound of carbide that can be introduced into the hopper.

Assembly:

Each machine consists essentially of the generator shell assembly, the carbide hopper, the carbide feed mechanism, the motor, the hydraulic back pressure check valve, the relief valves, the relief valve interference, and the necessary piping and fittings.

All sizes of machines employ the same type of carbide feed mechanism and are similar in construction with the exception of the main over-all dimensions.

Construction Details:

Generator Shell Assembly—This assembly of the additional sizes of machines is similar in construction. Parts of the shell assembly are of sheet steel with welded joints. Below are given the gauges of sheet steel used in the shell assembly of each size of generator.

Model No.	Lower Cylindrical Section	Upper Conical Section	Upper Cylindrical Section	Shell Bottom	Top Cover
K2100	14 USG	14 USG	14 USG	12 USG	12 USG
K2200	12 USG	12 USG	14 USG	10 USG	12 USG
K2300	10 USG	10 USG	14 USG	12 USG	12 USG
K2500	10 USG	10 USG	12 USG	10 USG	12 USG

Each generator bottom is welded to the shell at such a height as to raise it a short distance above the floor level. Reinforcement of the lower edge of the shell is accomplished by a band-iron ring spot-welded in place. After the shell has been assembled, the inner surface above the water line is coated with asphalt base paint, whereas the exterior surface, including the bottom, is coated with rust-resisting paint.

An angle-iron ring is welded to the upper edge of the shell and the generating chamber cover is clamped to this ring by bolts with nuts, the joint being made up with a rubber gasket.

Each size of machine is provided with an agitator to facilitate the removal of sludge. The agitator consists essentially of a sheet steel paddle attached to a cold-rolled steel shaft. One end of the shaft is supported by and rotates in a fitting secured to the shell on the inside. The opposite end of the shaft passes through a gland type of stuffing box and terminates on the outside.

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side of the shell. This end of the shaft is provided with a handle.

Each generator is provided with a sludge outlet valve threaded on a section of standard iron piping welded to the shell at the apex of the conical bottom. This valve is of the threaded plug type, the body and the plug being of cast-iron.

Water is admitted into the generating chamber through a cast-iron threaded plug type of valve threaded on a standard pipe nipple welded to the side of the generator shell. A cast-iron funnel fitting is threaded into the inlet of the valve and is designed with an interference grille to prevent a hose being inserted too far into the inlet when filling the generating chamber with water. When water appears in the upper portion of the funnel, this indicates that the generator has been filled to the proper level. A name plate indicating the proper water level is attached to the generator shell adjacent to the water fill opening as a precautionary manner. A cylindrical No. 16 USG sheet steel skirt is provided within the generating chamber. The upper edge of this skirt is welded to the conical intermediate section of the shell. This skirt is provided with a conical No. 16 USG sheet steel extension welded to the lower edge of the cylindrical portion. The function of this skirt is described in a subsequent section under "Motor."

Carbide Hopper—The hopper body consists essentially of a conical bottom and a cylindrical upper section. The upper edge of the cylindrical portion of the hopper body is welded to the generator top or cover plate. The hopper body of the 100, 200, and 300 lb. sizes of machines is of No. 16 USG galvanized sheet steel, whereas the hopper of the 500 lb. machine is of No. 14 USG galvanized sheet steel. Joints in the assembly are welded.

A conical galvanized sheet steel drip skirt is welded to the lower portion of the hopper body to avoid condensation from dripping on the carbide feed table located directly below the hopper mouth. A conical sheet steel baffle is provided within the hopper to avoid the possible bridging of carbide.

Carbide is introduced into the hopper through a fill opening in the generator top or cover plate. This opening is normally closed by a cast-iron cover with a round rubber gasket. The cover is clamped in place by a bolted clamping bar arrangement. The 500 lb. size of machine is provided with two carbide fill openings to facilitate charging of the hopper.

Carbide Feed Mechanism—Centrally located on the lower face of the generator top or cover plate is a standard $\frac{3}{8}$ in. pipe coupling welded in position. One end of a length of standard $\frac{3}{8}$ in. piping is threaded into the coupling and serves to support the carbide feed table. This table is of No. 10 USG galvanized sheet steel and is located $1\frac{7}{8}$ in. below the mouth of the hopper. The table is provided with a centrally located hole and is slipped over the lower end of the support pipe. It is then secured to this pipe by two half couplings, one on each side of the table.

Within the feed table support pipe is a $\frac{1}{2}$ in. cold-rolled steel shaft, the upper end of which terminates at the coupling welded to the lower face of the generator cover plate. This rod is secured to the support pipe by a rivet. The lower portion of the rod extends through another length of standard $\frac{3}{8}$ in. piping. Two sweep bars, diametrically opposite each other, are welded to the upper end of this latter pipe, these bars being drilled for attachment of the ends of a $\frac{1}{4}$ in. diameter asbestos rope in contact with the upper face of the feed table. During operation of the generator, the sweep bars, with asbestos rope attached, rotate and cause carbide to fall from the feed table into the generating chamber, the feed table being stationary.

A bevel gear which engages another similar gear on a horizontal drive shaft is secured to the lower end of the sweep bar drive pipe by two set screws. These gears are of steel, timed. In turn, a vertical gear end

piece is attached to the lower end of the shaft by rivets. This end piece serves to support the drive pipe.

Similarly, the horizontal drive shaft is of $\frac{1}{2}$ in. cold-rolled steel and its inner end is machined square. This end of the shaft extends into a guide, which in turn is attached to the horizontal drive gear by two set screws. The gear of the horizontal shaft rotates on a short shaft machined with a head, the end of this shaft opposite the head being riveted to the vertical gear end piece. The horizontal shaft passes through a gland type of stuffing box on the side of the generator shell and terminates on the outside where it is connected to the driving motor, described in the following section.

Motor—The gas driven motor housing, and the cover plate are of cast-iron. Bolts with nuts are used for clamping the cover to the housing, the joint being made leak-tight by a rubber gasket. Openings tapped with standard pipe threads are provided in the housing for connection of piping by means of which the motor is connected to the generator.

One end of a length of standard iron piping is welded to the lower portion of the cylindrical skirt within the generator shell. This pipe is also welded in place at the point where it passes through the opening in the generator shell and is connected to the inlet in the motor housing at the bottom. This inlet communicates with the interior of the cylindrical skirt. Another section of piping is welded to the outer shell and in turn is connected to the outlet in the top of the motor housing. This outlet communicates with the annular space between the inner cylindrical skirt and the generator shell. These connections are made by standard 1 in. iron piping and listed unions.

Within the motor housing is an impeller wheel, consisting of a series of vanes formed of No. 24 USG galvanized sheet steel mounted on a $\frac{3}{8}$ in. shaft. One end of the shaft rotates in a bearing in the motor housing cover, whereas the opposite end extends to the outside through a gland type of stuffing box. A spacer is provided on the shaft to hold the impeller in alignment. Sufficient clearance is provided between the impeller and the motor housing to avoid striking of parts. A brake wheel formed of No. 14 USG sheet steel is attached to a hub, by machine screws with nuts, the hub in turn being mounted on the impeller shaft by a set screw.

A cast-iron brake spring housing is secured to the upper portion of the motor housing by cap screws, a rubber diaphragm with fabric insertion being clamped between the spring housing and the motor housing. The diaphragm is provided with a centrally located hole for reception of a shouldered and threaded disc fitting over the threaded end of which is slipped a diaphragm plate. A nut threaded on the disc clamps the parts together. Into the diaphragm disc fitting is threaded a brake shaft which extends through a spring adjusting screw threaded into the spring housing.

The inner end of the spring seats over the diaphragm disc nut, whereas the opposite end is provided with a cup fitting. This cup is in contact with the adjusting screw. Adjustment of the spring, which in turn regulates the generator operating pressure, is obtained by the adjusting screw. The strength of the spring and the length of the adjusting screw are such that when the screw is turned in as far as it will go, the maximum operating pressure is limited to 11 psi.

A hard fiber disc located in a cup is threaded on the outer end of the brake shaft. A screw with a hard fiber disc held in a retainer is threaded into an opening in the spring housing and is provided with a lock nut. This screw serves as a backing for the brake wheel.

A sprocket is secured to the motor impeller shaft by a set screw. Similarly, a sprocket is provided on the outer end of the horizontal shaft of the carbide feed mechanism. Connection between the two sprockets is made by an endless chain. An idler consisting of a

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pulley mounted on a shaft is in contact with the drive chain to keep the latter in alignment. The idler pulley shaft is secured to an arm, which in turn is attached to the motor housing by a cap screw. Moving parts of the mechanism on the outside of the generator are protected by substantial guards. A spring-loaded locking pin is mounted on the chain guard to lock the feed mechanism during the recharging period or when the generator is not in use. When the pin is placed in the locked position it engages the teeth on the horizontal drive shaft sprocket, thus preventing rotation of the mechanism.

Operation of this generator is as follows:

Subsequent to charging the generator with water and carbide, etc., it is first necessary to operate the carbide feed mechanism manually before automatic operation can be resumed. This is accomplished by rotating the motor brake wheel by hand until several pounds pressure have been built up, after which the mechanism will operate automatically in accordance with the demand for gas. During the initial starting, the generator is purged of gas-air mixtures.

Carbide from the hopper builds up on the feed table directly below the hopper mouth at a definite angle of pile, carbide being fed to the table in proportion to the gas consumption. When the feed mechanism is initially rotated by hand, this causes the sweep bars at the feed table to rotate. At each rotation a small amount of carbide is swept off the table by the sweep bar rope, the carbide thus swept off dropping into the generating water.

When gas pressure is generated within the inner cylindrical skirt, the water level in this skirt recedes until the motor inlet pipe is exposed, whereupon gas enters this inlet and passes through the motor and thence is discharged from the motor outlet pipe into the annular space. Gas passing through the motor acts on the motor impeller, which causes the latter to rotate and provide the power for driving the feed mechanism. When the pressure builds up to 11 psi, the spring-loaded diaphragm actuated brake mechanism incorporated in the motor comes into play. The disc end of the brake shaft is forced against the brake wheel to prevent further operation of the feed mechanism. Pressures within the inner skirt and annular space then equalize.

Openings are provided in the inner skirt slightly below the motor inlet pipe. A slight over-production of gas results in these openings being exposed, whereupon gas escapes into the annular space. Similarly, this results in the equalization of pressures between the inner skirt and the annular space.

Gas is taken from the annular space between the inner skirt and the generator shell well above the maximum water level. As gas is used this results in a reduction of pressure within the annular space, and the release of the brake wheel. This pressure differential again permits the passage of gas through the motor, which in turn drives the feed mechanism to give a further feed of carbide until the pressure has been built up to the predetermined point. In actual operation, the motor operates smoothly to drive the carbide feed mechanism in relation to the demand for gas.

Hydraulic Back Pressure Check—This is similar on all sizes of machines with the exception of over-all dimensions. The cylindrical portions of the body and the bottom are of No. 14 USG sheet steel with welded joints. After forming, the inner surface of the body is coated with asphalt base paint, whereas the exterior surface is coated with rust-resisting paint.

A cast-iron cover is clamped to an angle-iron ring by bolts with nuts, the ring being in contact with the flanged rim of the body. A rubber gasket is used for making up the joint between the cover and the angle-iron ring. Baffle plates are provided within the assembly to prevent an excessive amount of water being entrained with the issuing gas.

Water is introduced into the chamber through a standard pipe ell threaded on a section of piping welded

in place, the pipe being provided with a slot on the underside. The fill opening is normally closed by a standard pipe plug. When water overflows at the fill opening, this indicates that the chamber has been filled to the proper level.

A standard pipe fitting, on which is threaded a tee, is welded to the bottom of the chamber. The lower opening in this tee permits draining of the water chamber when necessary, but is normally closed by a pipe plug. Standard iron piping is used for making connection between the gas outlet opening in the generator and the hydraulic back pressure check inlet. Connection of this piping at the generating chamber is made to a pipe fitting welded in place. A check valve of the lift type is installed in the piping to avoid water being forced back into the generator, due to a back pressure.

Relief Valves—Each size of machine is provided with both a generating chamber relief valve and a hydraulic back pressure relief valve. The 500 lb. size of generator is provided with two generating chamber relief valves to provide the required relief capacity for this size of device, these two valves being arranged to operate in unison with the interference arrangement.

Each valve is of the spring-loaded diaphragm type. Both the body and the bonnet, between which the diaphragm is clamped, are of cast-iron secured together by eight bolts with nuts. The diaphragm is of rubber with a fabric insertion and has a thickness of $\frac{1}{8}$ in. The valve disc is of rubber and is held in a retainer threaded on the valve seat. The disc, when the valve is in the closed position, seats on a brass fitting threaded into the lower portion of the body at the outlet. Adjustment of the pressure opening is obtained by a screw threaded into the top of the valve bonnet. A cap provided over this screw and held in place by a machine screw is designed to discourage tampering with the adjustment. Manual operation of the valve is accomplished by a cam form of shaft, on the outer end of which is secured a handle connected to the interference arrangement.

The generating chamber relief valve is adjusted by the manufacturer to start venting at a pressure not over 15 psi, and the words "Never set to over 15 psi" are cast on the valve bonnet. The hydraulic back pressure check relief valve may be adjusted to start venting at a pressure not over 20 psi.

Relief Valve Interference—Is so designed that it is necessary to operate each valve (raise it from its seat) during the process of cleaning and recharging the generator. The interference consists essentially of a cross bar, the ends of which are pivoted to the handles of the generating chamber and the hydraulic back pressure check relief valves. A sheet steel housing is welded to the interference bar, which, when the valves are in the closed position, covers a portion of the carbide fill cover clamp on the generator cover. Before access can be had to the carbide fill opening cover, it is necessary to move the interference bar to one side, thus opening the relief valves.

Piping and Fittings—All piping connections are made by standard galvanized steel piping. The areas above the carbide feed mechanism motor diaphragm and the relief valve diaphragms are connected to vent piping assembled on the generator at the factory so that these areas as well as the relief valve outlets can be vented to the outside of the building. A rotating stem type of valve incorporating a gland type of stuff box is installed in a section of piping between the hydraulic back pressure check relief valve and the generator gas outlet piping leading to the hydraulic check. During the period of purging the generator of gas-air mixtures, this valve is opened slightly to purge the annular space between the inner skirt and the generator shell.

The models of the generators differ only as to size, K2100 being 100 lbs. capacity, K2200 200 lbs. capacity, K2300 300 lbs. and K2500, 500 lbs. capacity.

These generators have been approved by the Under-

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writers Laboratories Guide #20 C3-2, November 1, 1941, File A581.

The generator was inspected and tested at Teaneck, N. J. by the Committee on Tests of the Board, accompanied by the representative of the Division of Combustibles, Fire Department.

Recommendations.

On the basis of these tests and the report of the Underwriters Laboratories, the Committee recommends the approval of the Smith's Type L Stationary Acetylene Generator, Models K2100, K2200, K2300 and K2500, provided the generators are installed and operated in accordance with the provisions of C19-92.0 and C19-93.0 Administrative Code, where legally permitted to be installed and operated, and with the provisions of this report and the report of the Underwriters Laboratories and that each generator shall bear a label permanently affixed, reading "Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 222-42-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as Smith's Type L Stationary Acetylene Generators, K2100, K2200, K2300 and K2500, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

Adjourned: 3:45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 15, 1942, as they appeared in Bulletin No. 42, Vol. 27, are hereby corrected to read as follows:

THE RESOLUTION (401-42-S)

WHEREAS, S. Walter Katz, for The Gerry Estates, Inc., owner (I. A. Management Corp., lessee), filed on May 15,

* Correction—The words "front shall be glazed with polished plate glass" omitted in line 59 of the resolution and the words "fronts may be glazed with double thick glass above the street floor" inserted therefor.

1942, an application for variation of the requirements of the Labor Law affecting 65-67 Madison avenue, east side, 24 ft. 9 in. north of East 27th street and 27-29 East 27th street (Block No. 857, Lot No. 22), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated April 18, 1942, on Alt. Applic. No. 482-42, reads:

"2. All windows shall be fireproof and comply with provisions of Section 262 and 264 of Labor Law."

and
WHEREAS, the applicant states that the building is seven stories (89 ft. 6 in.) in height; 49 ft. 4 in. by 100 ft. in area, with an L running to East 27th street, 28 ft. 5 in. in width, of Class 1 construction; located in a restricted retail use district; erected 1923 and used and occupied as follows: cellar, storage and boiler room, 15 persons; first floor, stores, 20 persons; second to seventh floors, inclusive, show rooms and offices, 30 persons each floor; pent house, rest room and tank house, 75 persons; and proposed to be used and occupied as follows: Cellar, same; first floor, same; second to seventh floors, inclusive, show rooms and offices, and 25 per cent manufacturing, 30 persons per floor; pent house, office, 10 persons; that the building is equipped with a sprinkler system, standpipe system and interior alarm system; that there are two 3 ft. 8 in. steel stairs enclosed in 6 in. terra cotta partitions equipped with fireproof self-closing doors and leading from roof bulkhead direct to street; and

WHEREAS, the applicant contends that the application in question was filed with the borough superintendent for the change of occupancy from offices and show rooms to offices, show rooms, and 25% manufacturing; that the windows affected are those on each street front; that the largest single pane of glass above the second floor is 3 ft. 4 in. by 3 ft. 4 in.; that on the second floor, the largest window is approximately 8 ft. by 8 ft. 6 in.; that the largest show window on the first floor is approximately 6 ft. 3 in. by 9 ft. 3 in.; that the first floor windows are glazed with 1/4 in. polished plate glass; that the windows above the first floor are glazed with double thick glass; that all frames and sash are wood; that it would be a great hardship for the owner to be compelled to replace all windows with those having the maximum size legal lights.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the borough superintendent, on Alt. Applic. No. 482-42, Objection No. 2, and that the application be and it hereby is granted on condition that in all other respects the building shall comply with all other requirements of the labor law and all other laws, rules and regulations, including the zoning resolution, other than as modified by the Board under Cal. No. 408-42-BZ; that the plans of the building shall be re-examined to determine that all requirements of all laws applicable are complied with; that the windows on the lot line shall be fireproof and self-closing, glazed with wire glass; that the windows on the street fronts may be glazed with double thick glass above the street floor and the size of panes shall not be increased in area; that the standpipe, sprinkler and interior fire alarm systems shall be maintained to the satisfaction of the fire commissioner.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

ANNUAL REPORT

The Annual Report of the Board of Standards and Appeals for the year 1941, appears in Bulletin No. 43, Volume 27, dated October 27, 1942. The following statistical report is a recapitulation of the Board's action on cases filed, disposed of, and pending, for the years 1916 to 1941 inclusive, together with the total of each category.

REVIEW FROM 1916

Year	Cases Filed	Restored & M'l Actions	Total to Dispose of	Pending Previous Year	Withdrawn	Dismissed	Disposed of as Follows:			Total Cases	Pending Dec. 31st
							Cases Denied	Granted, etc.	M'l Actions		
1916	502	32	534	0	39	64	59	294	32	398	136
1917	2620	35	2655	136	291	154	241	838	35	1559	1232
1918	1734	160	1894	1232	803	666	418	1009	160	3056	70
1919	1005	73	1078	70	105	47	271	594	41	1058	90
1920	793	114	907	90	84	100	233	457	33	907	90
1921	1720	176	1896	90	102	296	337	827	35	1597	389
1922	1575	405	1980	389	171	195	262	1025	281	1934	435
1923	1562	308	1870	435	149	189	193	928	219	1678	627
1924	1540	415	1955	627	173	194	290	1903	324	1984	598
1925	1350	335	1685	598	140	129	203	793	275	1540	743
1926	1147	403	1550	743	193	85	289	864	403	1834	459
1927	1357	575	1932	459	168	137	261	679	477	1722	669
1928	988	467	1455	669	230	107	312	585	384	1618	506
1929	765	508	1273	506	177	62	190	518	440	1387	392
1930	760	523	1283	392	175	38	215	379	451	1258	417
1931	623	645	1268	417	103	44	184	471	539	1341	344
1932	631	641	1272	344	158	22	159	492	524	1355	261
1933	389	648	1037	261	54	34	144	312	542	1086	212
1934	368	584	952	212	47	51	162	248	493	1001	163
1935	365	718	1083	163	40	14	122	305	589	1070	176
1936	393	683	1076	176	59	18	103	330	563	1073	179
1937	629	691	1320	179	43	14	120	409	587	1173	326
1938	1230	720	1950	326	96	19	153	910	618	1796	480
1939	1552	934	2486	480	121	66	244	1010	812	2253	713
1940	1235	1043	2278	713	138	33	200	851	890	2112	879
1941	1116	1148	2264	879	122	43	205	852	999	2221	922
Total	27949	12894	40933	10586	3981	2821	5570	16893	19746	40011	11508

JOSEPH J. DOYLE, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Copies of the Official Directory of the City of New York for the year 1942 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and

Courts, are now on sale at the office of the Supervisor of the City Record, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, five cents per copy must be added for postage.

BULLETIN

OF THE

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CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Notice of Public Hearing on Proposed Amendments to
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COURT DECISION.

Andrew Gull Corporation vs. City of New York.—Cord Meyer Company as owners contracted to furnish a large quantity of earth for fill for an extension to the Brooklyn Navy Yard to be taken from their vacant land in Queens where above the established grade of the streets. The Department of Housing and Buildings claimed such removal of soil was contrary to Section C76-388.0 as amended August 26, 1939. The owner refused to apply for a permit, claiming that the amended section is applicable only to excavations and not to leveling as contemplated (above street grade) and that the law as amended is unconstitutional.

To determine these questions actions were brought for a declaratory judgment and an injunction. Mr. Justice Smith in Supreme Court, Special Term, after lengthy analysis of the law and the intent behind it, decided that "In view of the fact that * * * contemplated leveling will not create any excavations, holes or pits—that they do not come under the purview of Section C26-388.0 as amended on August 26, 1939 * * *" and that, "plaintiffs are entitled to a declaratory judgment to that effect and to an injunction restraining the city authorities from interfering with plaintiffs' proposed operations." The Court found it unnecessary to pass on the question of constitutionality of the law. (N. Y. Law Journal October 27, 1942, pages 1211-12).

NOTE: Amendment to the law is advisable to define "Excavation" and also to provide for condition where, under section 4, paragraph 16 of the Multiple Dwelling Law, the grade of the lot may be taken as not more than three feet above established street grade (curb level).

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to November 3, 1942.

Cal. No. Dept. Premises Affected

762-42-SM—Method of Construction (Prefabricated Framing for Insulux Glass Block), manufactured by Owens-Illinois Glass Company, Material.

763-42-A—F.D.—232 and 233 South street, west side, 246 ft. 3 in. east of Market Slip (Block No. 249, Lot Nos. 13 and 14), Borough of Manhattan, 32248-L.C., 32323-L.C.

764-42-A—F.D.—9-11 Dutch street, west side, 127 ft. south of Fulton street (Block No. 78, Lot No. 24), Borough of Manhattan, 7223-L.F. and Decision.

765-42-S—F.D.—46 Evergreen avenue, west side, 45 ft. north of Forrest street (Office 36 Forrest street); (Block No. 3142, part of Lot No. 1), Borough of Brooklyn, Decision.

766-42-S—F.D.—67-69 Noll street and 66-74 Evergreen avenue, northwest corner (Office 36 Forrest street); (Block No. 3146, part of Lot No. 1), Borough of Brooklyn, Decision.

767-42-S—F.D.—84-90 Stanwix street and 38-44 Montieth street, southeast corner (Office 36 Forrest street); (Block No. 3142, part of Lot No. 1), Borough of Brooklyn, Decision.

768-42-S—F.D.—63 Noll street, north side, 84 ft. west of Evergreen avenue (Office 36 Forrest street); (Block No. 3146, part of Lot No. 1), Borough of Brooklyn, Decision.

769-42-A—H.B.Q.—41-12 and 41-14 63rd street, west side, 150 ft. south of Woodside avenue (Block No. 1337, part of Lot No. 27), Woodside, Borough of Queens, Alt. 1892-42.

770-42-A—F.D.—Storage, packaging and distribution of combustible mixture known as "3M Wax Finish" in one gallon glass bottles, (capacity of bottles not in conformity with Administrative Code Specifications), Decisions.

771-42-S—H.B.M.—462 West Broadway, west side, 240 ft. 1 7/8 in. south of West Houston street (Block No. 516, Lot No. 31), Borough of Manhattan, Decision.

Restored to Calendar.

982-39-BZ—H.B.M.—406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37 to 42, inclusive), Borough of Manhattan, Decision re Certificate of Occupancy.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

		Last Publication in Bulletin
Blended Cements, Rules for Testing and Use of	Feb.	17, 1942—Vol. 27, No. 7
Carbon Dioxide Liquefier, Rules	Mar.	10, 1942—Vol. 27, No. 10
Certificates of Occupancy, approved form	Nov.	25, 1941—Vol. 26, No. 25
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June	24, 1941—Vol. 26, No. 25
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 5
Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	June	16, 1942—Vol. 27, No. 24
Fire Alarm Rules (Interior)	Apr.	7, 1942—Vol. 27, No. 14
Fire Drill Rules	Aug.	4, 1942—Vol. 27, No. 3
Fire-resistant, Flameproof Materials, etc., Rules for Testing of	Apr.	28, 1942—Vol. 27, No. 12
Fire Retarding Rules for Garages, etc.	Dec.	16, 1941—Vol. 26, No. 50
Fireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 11
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 1
Fusion Welding and Gas Cutting Rules	May	20, 1941—Vol. 26, No. 20
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 1
Hatchway Protection	June	5, 1928—Vol. 13, No. 2
Insulating Fibre Board Rules	Sept.	22, 1942—Vol. 27, No. 3
Oil Burner Rules	Sept.	1, 1942—Vol. 27, No. 3
Opening Protective Assemblies, Rules for Inspection of	July	28, 1942—Vol. 27, No. 3
Paint, Varnish and Lacquer Spraying Rules	Sept.	8, 1942—Vol. 27, No. 3
Platform Trucks, Specifications for	Nov.	24, 1936—Vol. 21, No. 4
Plumbing Rules	Aug.	3, 1937—Vol. 22, No. 3
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov.	25, 1941—Vol. 26, No. 47
Procedure, Rules of	Sept.	7, 1937—Vol. 22, No. 3
Refrigerating Systems, Extract A.C.	Aug.	26, 1941—Vol. 26, No. 3
Smoking in Factories, Rules for	Oct.	13, 1942—Vol. 27, No. 4
Sprinkler Rules	June	29, 1937—Vol. 22, No. 2
Standpipe Fireline Rules	June	8, 1937—Vol. 22, No. 2
Structural Alterations, Reporting	June	7, 1932—Vol. 17, No. 2
Tank Trucks, Fuel Oil, etc.	Nov.	24, 1936—Vol. 21, No. 4
Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 4
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8, No. 1

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Nov. 25, 1941—Vol. 26, No. 47
Fireline Hose Valves	Nov. 25, 1941—Vol. 26, No. 47
Fuel Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47
Fuel Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 47
Fuel Oil Burners for Industrial Use	Nov. 25, 1941—Vol. 26, No. 47
Fuel Oil Pumps	Nov. 25, 1941—Vol. 26, No. 47
Gas Heaters	Nov. 25, 1941—Vol. 26, No. 47
Paint, Varnish and Lacquer Spraying Equipment	Nov. 25, 1941—Vol. 26, No. 47
Range Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 47
Vacuum Breakers	Nov. 10, 1942—Vol. 27, No. 4

NOVEMBER 10, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provision of the zoning resolution, *Tuesday morning, November 10, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

363-42-BZ—Application, May 5, 1942, under sections 20 and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adey, owner, to permit in a residence use district for a term of two (2) years the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 24, 27, 29, 31 and 33), Borough of The Bronx.

651-42-BZ—Application, September 2, 1942, under section 7c of the zoning resolution, of John J. Morro, applicant, on behalf of Paragon Oil Company, Incorporated, owner, to permit in a residence use district the extension of a gasoline service station; premises 2458-2470 Cropsy avenue, northwest corner of Bay 38th street (unopened) (Block No. 6928, Lot No. 50), Borough of Brooklyn.

CALENDAR

617-42-BZ—Application, August 12, 1942, under section 7c of the zoning resolution, of John F. Payne, applicant, on behalf of Socony-Vacuum Oil Company, Incorporated, owner, to permit in a business use district, the erection and maintenance of a new accessory (lubritorium) building on an existing gasoline service station; premises 1979 East 177th street, northwest corner of Pugsley avenue (Block No. 3794, Lot No. 50), Borough of The Bronx.

714-42-BZ—Application, September 30, 1942, under section 21 of the zoning resolution, of John E. Cahill, applicant, on behalf of Louis Grossman, owner, to permit in a residence use and also a G area district, the erection and maintenance of a vestibule (to an existing dwelling) which extends into a front yard required by the zoning resolution; premises 108-26 66th road, south side, 220 ft. east of 108th street (Block No. 5175, Lot No. 18), Forest Hills, Borough of Queens.

556-42-BZ—Application, July 13, 1942, under section 21 of the zoning resolution, of William C. Sommerfeld, applicant, on behalf of Richards Sael's Corporation, Incorporated, owner, to permit in a business use district, the maintenance of two (2) sets business (pawnbrokers) signs; premises 9 Columbus avenue, east side, 100 ft. 5 in. north of West 59th street (Block No. 1112, Lot No. 64), Borough of Manhattan.

577-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant, on behalf of Crew Levick Corporation, owner (Joseph E. Johnston, lessee), to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

127-42-BZ—Application, October 7, 1942, under section 1 of the zoning resolution, of Lama and Proskauer, applicant, on behalf of Green Bus Lines, Incorporated, owner, to permit in an undetermined use and also an F area district, the erection and maintenance of an extension to an existing garage for more than five (5) motor vehicles (buses); the said extension does not comply with the setback or with the area requirements of the zoning resolution; premises 148-02 to 148-18 147th avenue, south side, from 148th to 149th streets (Block No. 4233, Lot No. 1), South Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 10, 1942, 2 P. M.

Appeals from Administrative Decisions.

61-42-A—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street, north side, 50 ft. west of Lorillard place (Block No. 3052, Lot No. 37), Borough of The Bronx.

99-42-A—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

24-42-S—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

41-42-S—13 Christopher avenue, east side, 103 ft. 2 in. south of East New York avenue (Block No. 3676, Lot No.), Borough of Brooklyn.

07-42-A—233 West 151st street and 220-234 West 152nd street, south side, 100 ft. east of Macombs place (Block No. 037, Lot No. 1), Borough of Manhattan.

584-41-A—121 Bay 23rd street, east side, 100½ ft. south of Benson avenue (Block No. 6408, Lot No. 16), Borough of Brooklyn.

Appliance and Materials for Approval.

473-42-SA—Allen Iron Body 2½ in. Fireline Angle Valve, Type A, 175 lbs. W.W.P.

424-42-SM—Jackson Metal Nailable Studs and Accessories for Non-Bearing Interior and Exterior Partitions (reopened July 28, 1942 re amendment of resolution).

855-41-SM—Swanpruf (Flameproofing Compound).

NOVEMBER 17, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, November 17, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

539-42-BZ—Application, July 6, 1942, under section 7h of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

607-42-BZ—Application, August 5, 1942, under section 7h of the zoning resolution, of J. M. Berlinger, applicant, on behalf of Janetta Whitridge, Mary Whitehouse and Harriet Aldrich, owners, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan.

610-42-BZ—Application, August 6, 1942, under sections 7h and 21 of the zoning resolution, of Mac L. Reiser, applicant, on behalf of Mary Oginsky and Philip Oginsky, owners (Martha Kozak, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 336-338 (340 displayed) New Jersey avenue, west side, 125 ft. north of Belmont avenue (Block No. 3738, Lot Nos. 30 and 31), Borough of Brooklyn.

987-41-BZ—Application, November 14, 1941, under section 7c of the zoning resolution, of Louis A. Kieseewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station; premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

95-40-BZ—Application of Samuel Rosenblum, applicant, on behalf of 40 Central Park South, Incorporated, owner, reopened November 18, 1941, under section 7h of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 41 West 58th street, north side, 120 ft. east of Sixth avenue (Block No. 1274, Lot No. 6), Borough of Manhattan.

215-42-BZ—Application, March 18, 1942, under section 7h of the zoning resolution, of John C. Wandell, applicant, on behalf of Society of St. Vincent De Paul, owner (Arthur Stevenson, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 8101-8111 Third avenue and 302-318 81st street, southeast corner (Block No. 5997, Lot Nos. 7 and 11), Borough of Brooklyn.

CALENDAR

256-42-BZ—Application, March 27, 1942, under section 21 of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of Handalsons Realty Corporation, owner, to permit in a residence use and also G area district, the conversion of occupancy of a one family dwelling to a two (2) family dwelling; premises 665 East 17th street, east side, 156 ft. $\frac{7}{8}$ in. south of Foster avenue (Block No. 5238, Lot No. 31), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 17, 1942, 2 P. M.

Appeals from Administrative Decisions.

752-42-A—48-12 Grand avenue, south side, 41.1 ft. west of 49th street (Block No. 2612, part of Lot Nos. 1, 28 and 37), Maspeth, Borough of Queens (under section 35, General City Law re bed of mapped street—49th street and 50th street).

484-42-S—32-36 to 32-46 47th avenue, south side, from 32nd place to 33rd street (Block No. 252, Lot Nos. 1 and 17), Long Island City, Borough of Queens.

Appliance and Materials for Approval.

367-42-SA—Holland Gun Type Oil Burner, Models H-4, S1-4, M-4, and L-4.

800-39-SM—U. S. Gypsum Co. Gypsum Plaster, Red Top and Samson Brands.

289-41-SM—Monarch Hydrated Finishing Lime, Monarch Masons Lime, Monarch Brick Mortar.

NOVEMBER 24, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, November 24, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

107-42-BZ—Application, February 5, 1942, under section 7c of the zoning resolution, of John F. Payne, applicant on behalf of Socony-Vacuum Oil Company, Incorporated, owner, to permit in a business use district, the erection of an accessory building upon a plot now occupied as a gasoline service station; the vehicular entrance to the gasoline service station is located within 200 ft. of an entrance to a public playground; premises 401-413 Dahill road and 2-12 Cortelyou road, southeast corner (Block No. 5384, Lot No. 1), Borough of Brooklyn.

127-35-BZ—Application of Jack Z. Cohen, applicant on behalf of Joseph Angelone, owner, reopened June 30, 1942,

under section 7f of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and also, the erection and maintenance of garages for four (4) motor vehicles; premises 115-119 Truxton street, north side, 142 ft. $9\frac{3}{4}$ in. west of Conway street (Block No. 1544, Lot Nos. 42 and 44), Borough of Brooklyn.

926-28-BZ—Application of Joseph B. Lynch, applicant on behalf of The Texas Company, owner, reopened December 16, 1941, under section 7c of the zoning resolution, to permit in a residence use district the extension of an accessory building (for lubricatory use) and also, the rearrangement of pumps on an existing gasoline service station, which was previously acted upon by the Board; premises 2633-2643 Ocean avenue and 2002 Avenue V, southeast corner (Block No. 7381, Lot No. 1), Borough of Brooklyn.

58-30-BZ—Application of Charles M. Spindler, applicant on behalf of Lillian Kaplan, owner, reopened July 23, 1942, under sections 7c and 7f of the zoning resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the Board) and also, for a term of years, the parking and storage of more than five (5) motor vehicles; premises 73-13 to 73-21 Cooper avenue and 71-34 to 71-38 73rd place, northwest corner (Block No. 3691, Lot No. 19), Glendale, Borough of Queens.

676-42-BZ—Application, September 17, 1942, under section 7c of the zoning resolution, of Frank Straub, applicant on behalf of Monte Realty Company, Incorporated, owner, to permit in a residence use district, the alteration and conversion of occupancy of a four (4) story building, erected as a stable, to store, showroom, offices and light manufacturing; premises 357 West 17th street, north side, 100 ft. east of Ninth avenue (Block No. 741, Lot No. 5), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 24, 1942, 2 P. M.

Appeal from Administrative Decision.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

DECEMBER 1, 1942, 2 P. M.

Appeals from Administrative Decisions.

407-42-A—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

447-42-A—510 Dahill road, west side, 60 ft. south of 40th street (Block No. 5382, Lot No. 26), Borough of Brooklyn.

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BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY MORNING, OCTOBER 30, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

RULES

835-38-SR.

SUBJECT—Amendment to Rules relative to Submerged Inlets and Protective Methods to be applied to Prevent Contamination of Water Supply.

MINUTES

APPEARANCES—William A. Cody, Alexander Koral, James S. McCormack, Gustave Goldman, Ormond Burke, Arthur C. Bangs, John Lowe and H. B. Ferguson.

ACTION OF BOARD—Laid over; new date of hearing to be announced.

Adjourned: 11:05 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

WEDNESDAY MORNING, NOVEMBER 4, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the regular meetings of the Board held on Tuesday morning, October 27, 1942, and Tuesday afternoon, October 27, 1942, were approved as printed in Bulletin No. 44, Vol. 27.

ZONING CASES.

539-42-BZ.

APPLICANT—Edwin H. Thatcher, for Polytechnic Institute of Brooklyn, owner.

SUBJECT—Application re (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-399 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 17, 1942, at 10 A. M. on written request of applicant.

607-42-BZ.

APPLICANT—J. M. Berlinger, for Janetta Whitridge, Mary Whitehouse and Harriet Aldrich, owners.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: J. M. Berlinger, C. I. Goldman and William Sloane.

For Opposition: R. J. Stark and Harold Klorfein, Dept. of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 17, 1942 at 10 A. M. for further consideration by the Board. No further argument.

144-42-BZ.

APPLICANT—Oscar I. Silverstone, for Harry Lipkin, owner.

SUBJECT—Application (re decisions of the borough superintendent) under sections 21 and 7h of the zoning resolution, to permit in a business use district, the

erection and maintenance of fourteen (14) individual one car garages and six (6) individual one truck garages or to permit the alternate use of the premises for parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—669-677 McDonald avenue, east side, 40 ft. south of Cortelyou road (Block No. 5385, Lot Nos. 87 and 92), Borough of Brooklyn.

APPEARANCES—

For Applicant: Oscar I. Silverstone and Harry Lipkin.

For Opposition: Maxwell H. Levy, Philip F. Di Costanzo and Miriam Heller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage 1

Negative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy..... 3

THE RESOLUTION (144-42-BZ)

WHEREAS, Oscar I. Silverstone, for Harry Lipkin, owner, filed on February 18, 1942, an application under sections 21 and 7h of the building zone resolution, to permit in a business use district, the erection and maintenance of fourteen (14) one car garages and six (6) individual one truck garages or to permit the alternate use of the premises for parking and storage of more than five (5) motor vehicles; premises 669-677 McDonald avenue, south side, 40 ft. south of Cortelyou road (Block No. 5385, Lot Nos. 87 and 92), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 4, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that McDonald avenue is in a business use district; East 2nd street is in a residence and business use district and Cortelyou road is in a business use district; and

WHEREAS, the decision of the borough superintendent dated January 21, 1942 on N. B. Applic. Nos. 1886-1887—1942, reads:

“Proposed individual garages for fourteen motor vehicles and six motor trucks to be located in a business use district are contrary to Art. II, Sec. 4(a), subd. 15 of the Zoning Resolution.”

and

WHEREAS, the decision of the borough superintendent dated May 18, 1942 on N. B. Applic. No. 1133-42, reads:

“Parking and storage of more than five motor vehicles on a plot located in a business use district is contrary to Art. II, subd. 4a, subd. 15 of the Zoning Resolution.”

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 160 ft. on McDonald avenue and a depth of 110 ft.; that upon the southerly part of the plot (Lot 87), there are located three one-car garages and a one story storage room for cream, cheese and butter and a one story taxpayer (stores); that the northerly part of the plot (Lot 92), is now vacant; that it is proposed to use this portion of the plot (60 ft. by 110 ft. in area), for fourteen individual one-car garages and for six individual one-truck garages; that it is alternately proposed to use the plot, for a term of two (2) years, for the parking and storage of more than five (5) motor vehicles and that the driveway to the proposed uses on Lot 92, is located on Lot 87; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant had failed to substantiate his basis of appeal under section 21 of the zoning resolution and that there was no justification for the exercise of the Board's discretion to grant a zoning vari-

MINUTES

ance under section 7, subdivision h, for the use of the plot for parking and storage of more than five (5) motor vehicles.

Resolved, that the decisions of the borough superintendent on N. B. Applic. Nos. 1886, 1887 and 1132-42, be and they hereby are *affirmed* and that the application be and it hereby is *denied*.

581-42-BZ.

APPLICANT—Paul Friedman, for Lucval Realty Corporation, owner (Homecrest Service Station, Incorporated, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1108-1110 (1106-1108 displayed) Avenue T, south side, 40 ft. east of Coney Island avenue (Block No. 7315, Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and James D'Albro.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Gustave Goldman, Board of Education.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (581-42-BZ)

WHEREAS, Paul Friedman, for Lucval Realty Corporation, owner (Homecrest Service Station, Incorporated, lessee), filed on July 21, 1942, an application under section 7f of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1108-1110 (1106-1108 displayed) Avenue T, south side, 40 ft. east of Coney Island avenue (Block No. 7315, Lot No. 3), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 4, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Coney Island avenue is in a business use district; Avenue T is in residence and business use district; East 12th street is in a residence use district; and

WHEREAS, the decision of the borough superintendent on B. N. Applic. No. 1613-42, dated July 8, 1942, reads:

"1. Parking and storage of more than five motor vehicles within a business district is contrary to Art. II, Sec. 4, Par. 15 of the Zone Resolutions. Application denied."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 40 ft. and a depth of 110 ft.; that upon the easterly rear of the plot, there are some frame structures; that it is proposed to use the remainder of the plot for a term of two (2) years, for parking and storage of more than five motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed this was a proper case in which to exercise its discretion to grant under section 7, subdivision f of the zoning resolution;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-f thereof, for a term of two (2) years from the date of this resolution, to

permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type and those capable of operation shall be so parked or stored; that the plot shall be leveled substantially to the grade of Coney Island avenue and shall be surfaced with clean gravel, steam cinders or other suitable material properly rolled and treated with a binder; that the existing fencing along the interior lot lines to the east and south shall be maintained and in addition there shall be a fence which may be of wood construction, not less than 5 feet 6 in. in height along the street building line of Avenue T for a distance of approximately 35 feet; that there shall be no additional curb cuts or entrances to the premises from Avenue T; that during the time of this variance, the premises shall be occupied for no other use than herein permitted and no building shall be erected, except that the existing frame structures at the rear of the plot may be continued, provided they are in no way occupied in connection with the parking use or the gasoline station use, but are continued for the use of the owner of the adjoining lot, No. 5, as indicated; that the parking and storage shall be under the control of the adjoining gasoline station; that no signs shall be erected except a sign may be exhibited in connection with the gasoline station as to the parking and storage uses permitted on Lot No. 3 and the rates charged; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

625-42-BZ.

APPLICANT—Lama and Proskauer, for Sylvester Liotta, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1183-1185 Myrtle avenue, north side, 117 ft. 6 in. west of Troutman street and 12 Troutman street (Block No. 3182, Lot Nos. 6, 8 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (625-42-BZ)

WHEREAS, Lama and Proskauer, for Sylvester Liotta, owner, filed August 18, 1942, an application under section 7-h of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles, premises—1183-1185 Myrtle avenue, north side, 117 ft. 8 in. west of Troutman street and 12 Troutman street (Block No. 3182, Lot Nos. 6, 8 and 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 4, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Myrtle avenue is in a business use district; Bushwick avenue is in unrestricted, business and retail use districts; Troutman street is in unrestricted and business use districts; and

WHEREAS, the decision of the Borough Superintendent, dated August 31, 1942, reads:

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"Proposed parking and storage of more than 5 cars within a business use district is contrary to Art. 2, Sec. 4a-15 of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of an irregularly shaped plot having a frontage of 56 ft. 7 in. on Myrtle avenue, 25 ft. on Troutman street and a distance of approximately 95 ft. along the westerly lot lines and that it is proposed to use the plot, for a term of two years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the Department of Housing and Buildings report that a zoning violation was placed against the premises on October 28, 1940, because of the parking and storage use being carried on without a permit and that on November 14, 1941, the Magistrate imposed a fine of \$10.00; and

WHEREAS, these premises and the surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7h thereof, for a term of two (2) years, to permit the premises to be occupied for parking and storage of more than five (5) motor vehicles, on condition that the premises shall be leveled substantially to the grade of Myrtle avenue, and shall be surfaced with clean gravel, steam cinders, or other suitable material properly rolled and treated with a binder; that during the term of this variance, the premises shall be occupied for no other use than as herein permitted; that no building shall be erected thereon, except there may be erected a building to be occupied solely as an office and shelter for the attendant, provided such building does not exceed 100 sq. ft. in area, and is not over one story in height; that this building may be of frame, and shall be erected adjoining the proposed entrance to the plot from Myrtle avenue; that the existing curb cuts from Myrtle avenue, 12 ft. in width, shall not be increased; that no entrance to the plot shall be from Troutman street; that the existing corrugated metal fence on the Myrtle avenue building line and the existing wood fence on Troutman street shall be maintained; that substantial fences shall be maintained on the interior lot lines where walls of adjoining buildings do not occur; that all fences shall be kept in good structural condition and kept painted (no display signs shall be posted thereon); that no signs shall be erected on the premises, except there may be a sign attached to the fence near the entrance to Myrtle avenue, advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft. in area; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this resolution.

631-42-BZ.

APPLICANT—Max Siegel, for Broad Hill, Incorporated and Park Plains, Incorporated, owners.

SUBJECT—Application (re decision of the acting borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1582-1598 White Plains road, 1880 East Tremont avenue, southeast corner and 1569-1577 Unionport road (Block No. 3952, Lot Nos. 1, 5, 6, 8, 9, 10, 11 and 19, Borough of The Bronx.

APPEARANCES—

For Applicant: Max Siegel and Jacob Aisenberg.

For Opposition: Robert Dowling, Sally Tessler and Earl I. Gallant.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (631-42-BZ)

WHEREAS, Max Siegel, for Broad Hill, Inc. and Park Plains, Inc., owners, filed August 18, 1942, an application, under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; 1582-1598 White Plains road, 1880 East Tremont avenue, southeast corner and 1569-1577 Unionport road (Block No. 3952, Lot Nos. 1, 5, 6, 8, 9, 10, 11 and 19), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 4, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that East Tremont avenue is in business, unrestricted and residence use districts; Unionport road is in business, retail, unrestricted and residence use districts; White Plains road is in business and unrestricted use districts; Guerlain street is in residence and business use districts; and

WHEREAS, the decision of the borough superintendent, dated August 17, 1942, and as amended September 3, 1942, reads:

"In answer to your communication of the 28th ult. relative to an application for a certificate of occupancy for the parking and storing of more than five (5) motor vehicles at the above premises, please be advised that application is DENIED, as the premises are located partly in a business district and partly in a residence district, where such use is contrary to Sections 3 and 4, Article 2 of the Zoning Resolution of the City of New York."

and

WHEREAS, the applicant states that the premises consist of an irregular plot having a frontage of 85 ft. on East Tremont avenue, 223 ft. on White Plains road and 99 ft. on Unionport road; that a gore-shaped area at the central portion of the plot is in a residence use district; that the remainder is in a business district and that it is proposed to use the plot, for a term of two (2) years, for the parking and storage of more than 5 motor vehicles; and

WHEREAS, these premises and the surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a zoning variance under section 7, subdivision h, of the zoning resolution.

Resolved, that the decision of the borough superintendent, dated August 17, 1942, and amended September 3, 1942, be and it hereby is affirmed and that the application be and it hereby is denied.

Adjourned: 11:45 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

WEDNESDAY AFTERNOON, NOVEMBER 4, 1942

Present: Chairman Murdock, Commissioners Savage and Blum, and Deputy Chief Murphy.

ZONING CASES.

982-39-BZ.

APPLICANT—Regan and Barrett, for Chapmald Realty Corporation, owner.

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SUBJECT—Application for consideration—reopening and rehearing under section 7h of the zoning resolution—re Application (decision of the borough superintendent) previously denied, under section 2l of the zoning resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—406-420 West 55th street, south side, 100 ft. west of Ninth avenue (Block No. 1064, Lot Nos. 37 to 42, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward G. Balkin.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

709-41-BZ.

APPLICANT—Colonial Beacon Oil Company (lessee), for John T. Dooling, owner.

SUBJECT—Application (re decision of the acting borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1924-1930 East 177th street and 1960 Newbold avenue, southwest corner (Block No. 3795, Lot No. 30 and parts of Lot Nos. 27 and 31), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

1011-41-BZ.

APPLICANT—Colonial Beacon Oil Company (lessee), for Charles F. Deshler and Effie H. Corbett, owners.

SUBJECT—Application (decision of the acting borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the erection and maintenance, for a term of years, of a gasoline service station.

PREMISES AFFECTED—1708 Eastern boulevard and 950 Sound View avenue, southeast corner (Block No. 3661, Lot No. 58 and parts of Lot Nos. 50 and 60), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

554-37-BZ.

APPLICANT—Smith and Weber (lessees), for Board of Transportation, City of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting, partly in a retail use and partly in a business use district, the transient parking of more than five (5) motor vehicles for a temporary period of two (2) years.

PREMISES AFFECTED—896-908 Eighth avenue, 260-266 West 54th street, southeast corner, and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Sanford Smith.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (554-37-BZ)

WHEREAS, Smith and Weber (lessees), for Board of Transportation, City of New York, owner, filed November 23, 1937, an application under the zoning resolution, to permit, partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 896-908 Eighth avenue, 260-266 West 54th street, southeast corner, and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan; and

WHEREAS, this application was granted by the Board November 15, 1938, on certain conditions, the resolution amended January 31, 1939, and permit extended October 29, 1940, and applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 15, 1938, as amended January 31, 1939, and October 29, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"granted, under section 7, subdivision l of the zoning resolution for a term of two (2) years from the date of this amended resolution."

692-38-BZ.

APPLICANT—Leopold Friedman, for Hawthorne Amusement Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—31-73 Bay 19th street, east side 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Sher.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy

Negative: 0

THE RESOLUTION (692-38-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, premises 31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn, was granted by the Board November 22, 1938, on certain conditions, permit extended November 6, 1940, and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 22, 1938, as amended November 6, 1940, only so far as it has reference

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to the term of permit, so that as amended this portion of the resolution shall read:

"granted under section 7h for a term of two (2) years from the date of this *amended resolution*."

586-39-BZ.

APPLICANT—Lama and Proskauer, for Mary L. Moll and Charles London, owners.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under sections 7g and 21 of the zoning resolution, permitting in a business use district, the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station.

PREMISES AFFECTED—430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles London.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (586-39-BZ)

WHEREAS, this application, under sections 7g and 21 of the zoning resolution, to permit in a business use district the alteration and extension of a garage for more than five (5) motor vehicles and, also, the inclusion of a gasoline service station, premises 430-440 Atlantic avenue, south side, 256 ft. 3 in. west of Nevins street (Block No. 184, Lot Nos. 14, 17 and 18), Borough of Brooklyn, was granted by the Board March 12, 1940, on certain conditions, the resolution amended and plans approved October 22, 1940, time extended October 7, 1941, and the applicant requested a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on May 12, 1940 as amended October 22, 1940, and October 7, 1941, only so far as it has reference to obtaining permits and completion of the work so that as amended this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within one (1) year from the date of this amended resolution."

1129-40-BZ.

APPLICANT—The New York Central Railroad Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2750 Webster avenue, east side, 1051 ft. south of Bedford Park boulevard (Block No. 3273, part of Lot No. 101), Borough of The Bronx.

APPEARANCES—

For Applicant: A. G. Kuapp and R. F. Henze.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (1129-40-BZ)

WHEREAS, Henry Nordheim, for The New York Central Railroad Company, owner, filed November 28, 1940, an application under section 7h of the zoning resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2750 Webster avenue, east side, 1051 ft. south of Bedford Park boulevard (Block No. 3273, part of Lot No. 101), Borough of The Bronx; and

WHEREAS, this application was granted by the Board on October 21, 1941, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted October 21, 1941, only so far as it has reference to obtaining permit and completing the work, so that as amended, this portion of the resolution shall read:

"in view of statement by applicant that all work has been done except obtaining the permit for the curb cut, application for which has been filed, that all permits shall be obtained and all work completed within three (3) months from the date of this *amended resolution*."

266-41-BZ.

APPLICANT—Paul Friedman, for Martin Edwards and Catherine Edwards, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution as to time to complete—re Application (decision of the borough superintendent) previously granted on condition, under sections 7c and 7g of the zoning resolution, permitting partly in a business use and partly in a residence use district, the erection and maintenance of a group of four (4) buildings for the storage, in the aggregate, of more than five (5) motor vehicles.

PREMISES AFFECTED—55-02 to 55-32 Flushing avenue, south side, from 55th to 56th streets, 60-01 to 60-09 55th street and 60-02 to 60-18 56th street (Block No. 2648, Lot Nos. 15, 26, 28, 29, 31, 34, 36, 37 and 39), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (266-41-BZ)

WHEREAS, this application, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a group of four (4) buildings for the storage, in the aggregate, of more than five (5) motor vehicles, premises 55-02 to 55-32 Flushing avenue, south side, from 55th street to 56th street, 60-01 to 60-09 55th street and 60-02 to 60-18 56th street (Block No. 2648, Lot Nos. 15, 26, 28, 29, 31, 34, 36, 37 and 39), Maspeth, Borough of Queens, was granted by the Board September 30, 1941, on certain conditions, under sections 7c and 7g of the zoning resolution; resolution amended December 2, 1941, and May 19, 1942; and

WHEREAS, Paul Friedman, for Martin Edwards and Catherine Edwards, owners, requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted September 30, 1940, as amended through resolution of May 19, 1942, only so far as it has reference to obtaining permits and completion of the work and in view of statement by the applicant that a

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portion of the work has been completed and that permits have been obtained for the balance, that all work shall be completed within one (1) year from the date of this amended resolution and that the borough superintendent may issue a temporary certificate of occupancy to permit the occupancy of such portions of the building as are completed; that the existing entrance and curb cut on Flushing avenue, as indicated on plans marked "Received October 15, 1942" and the temporary woven wire fence erected along the building line of Flushing avenue may be continued until the remaining structures are completed.

389-41-BZ.

APPLICANT—F. and M. Habrich, Incorporated (lessee), for Freda Habrich, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, the inclusion of a motor vehicle repair shop in a building occupied as a garage.

PREMISES AFFECTED—138-19 101st avenue, northwest corner of Sanders place (Block No. 10010, Lot No. 24), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Max L. Habrich.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (389-41-BZ)

WHEREAS, Charles Lee Koester, for Freda Habrich, owner (F. and M. Habrich, lessees), filed May 1, 1941, an application under section 7c of the zoning resolution, to permit partly in a business use district and partly in an unrestricted use district, the inclusion of a motor vehicle repair shop in a building occupied as a garage; premises 138-19 101st avenue, northwest corner of Sanders place (Block No. 10010, Lot No. 24), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board on November 25, 1941, on certain conditions, resolution amended on July 14, 1942, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted November 25, 1941, as amended by resolution adopted by the Board on July 14, 1942, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7-c thereof, to permit the extension and alteration of the building as proposed and substantially as indicated on the plan marked "Received May 1, 1941," on condition that the building shall not be further increased in height or area; that the design indicated for the facades on 101st avenue and Sanders place shall be carried out substantially as shown; that all existing roof signs shall be removed and no roof signs shall be constructed; that all signs overhanging the building line shall be removed and no signs constructed other than those shown on elevation drawing marked "Received May 1, 1941;" that the use of the building shall be primarily a service station occupied in connection with the sale of new and used automobiles and the servicing work in connection therewith consisting of greasing, auto painting and minor repairs and adjustments; that the boiler-room shall be separated from the balance of the building by

fireproof construction and enterable only from the exterior; that there shall be no openings in the side lot line walls to adjoining premises; that the Certificate of Occupancy shall be amended so as to cover the use and occupancy of the building as herein permitted.

Resolved further, that the door to the spray booth shown on plans herein referred to as "Received May 1, 1941" may be omitted provided that in all other respects the requirements of the resolution adopted by the Board on December 2, 1941 are complied with.

Resolved further, that the use of the building shall be primarily as a service station occupied in connection with the sale of new and used automobiles and servicing work in connection therewith, consisting of greasing, painting and minor repairs and adjustments to motor vehicles, including the use of acetylene and oxygen in connection with welding apparatus used in such work, provided such equipment is subject to a permit issued by the fire commissioner and provided the welding shall not be carried on within the same space as the paint spraying."

390-41-BZ.

APPLICANT—F. and M. Habrich, Incorporated (lessee) for Freda Habrich and Edna M. Went, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for term of two (2) years, the use of the easterly portion of the premises with a frontage of 100 ft. to be occupied for the sale of used cars and that the proposed building is constructed and used solely throughout, except for the washing of cars, as an indoor showroom.

PREMISES AFFECTED—138-24 101st avenue, south side, 208.73 ft. east of Remington street (Block No. 10018, Lot Nos. 9 and 11), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Max L. Habrich.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy

Negative:

THE RESOLUTION (390-41-BZ)

WHEREAS, Charles Lee Koester, for Freda Habrich and Edna M. Went, owners (F. & M. Habrich, lessees), filed May 1, 1941, an application under section 7h of the zoning resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop and garage for more than five (5) motor vehicles and the extension of this building for use as a garage for more than five (5) motor vehicles and auto laundry, and also use of the remainder of the premises as a used car lot; premises 138-24 101st avenue, south side, 208.73 ft. east of Remington street (Block No. 10018, Lot Nos. 9 and 11), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board, January 20, 1942, on certain conditions, time extended July 14, 1942 and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on January 20, 1942, amended by resolution adopted July 14, 1942, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted in

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section 7h thereof, for a term of two (2) years January 20, 1942, to permit the easterly portion of the premises with a frontage of 100 ft. to be occupied for the sale of used cars *on condition* that the premises shall be maintained substantially as indicated on plans filed with this application; that there shall be constructed a masonry wall approximately 2 ft. in height parallel to the street building lines as indicated and with not over 2 curb cuts to 101st avenue, each not exceeding 12 ft. in width; that such wall shall be located to prevent cars on display from extending over the street building line; that this application is *granted only on condition* that a permit is obtained from the Department of Housing and Buildings for the proposed automobile showroom building and laundry additions toward the east as indicated on such plans and that such building is constructed and that except for the washing of cars that such building shall be used solely throughout as an indoor showroom complying with all laws, rules and regulations applicable thereto; that no signs advertising the sale of used cars shall be maintained on or attached to the indoor sales room building.

Resolved further, that in the event the owner desires to occupy the rear portion of the showroom building as herein permitted toward the rear, as a machine shop for manufacturing airplane parts, such use may be permitted during the term of the present war emergency, provided all lawful requirements therefor are complied with; that walls shall be maintained separating such rear portion from the front portion, which is to be continued as an automobile showroom."

698-41-BZ.

APPLICANT—Simon Cohen, for B and F Holding Corporation, owner (Sarah Brodsky, lessee).

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a residence use district, for a term of two (2) years, the seasonal transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—157 Beach 61st street, southwest corner of Larkin avenue (Block No. 354, Lot No. 47), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Simon Cohen.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (698-41-BZ)

WHEREAS, Simon Cohen, for B and F Holding Corporation, owner (Sarah Brodsky, lessee) filed July 29, 1941, an application under section 7h of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 157 Beach 61st street, southwest corner of Larkin avenue (Block No. 354, Lot No. 47), Arverne, Borough of Queens; and

WHEREAS, this application was granted by the Board on April 28, 1942, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 28, 1942, only so far as it has reference to obtaining permits and completion of the work, so that as amended, this portion of the resolution shall read:

"that in view of statement by the applicant that all permits have been obtained and all work completed

except for the issuance of the certificate of occupancy, that all work shall be completed and all permits and certificate of occupancy obtained within three (3) months from the date of this *amended* resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

267-42-S.

APPLICANT—Sidney L. Strauss, for MacFarlane Fire Prevention Corporation, for Meyline Realty Corporation, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in orders and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to November 24, 1942 at 2 P. M., for further consideration by the Board.

299-42-A.

APPLICANT—Sidney L. Strauss, for B. F. Keith Corporation, owner (The Linder Dental Laboratory, lessee).

SUBJECT—Appeal from an order of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to November 10, 1942 at 2 P. M., for further consideration by the Board.

407-42-A.

APPLICANT—Arthur Weiser, for 28th Properties, Incorporated, owner.

SUBJECT—Application reopened and restored to calendar, October 14, 1942—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 1, 1942 at 2 P. M., for further consideration by the Board, after inspection by a committee of the Board.

447-42-A.

APPLICANT—Herman Wolff and Isaac Kallich, for Jewish Training School Academy Yavne, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—510 Dahill road, west side, 60 ft. south of 40th street (Block No. 5382, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Wolff and Isaac Kallich.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

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ACTION OF BOARD—Laid over to December 1, 1942 at 2 P. M., for further consideration by the Board, after inspection by a committee of the Board.

484-42-S.

APPLICANT—Frank C. Keller, for Ford Instrument Company, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—32-36 to 32-46 47th avenue, south side, from 32nd place to 33rd street (Block No. 252, Lot Nos. 1 and 17), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to November 17, 1942 at 2 P. M., on request of applicant.

624-42-S.

APPLICANT—Sidney L. Strauss, for B. F. Keith Corporation, owner (The Linder Dental Laboratory, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—1-7 DeKalb avenue, north side, Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to November 10, 1942 at 2 P. M., for further consideration by the Board.

678-42-A.

APPLICANT—Manoug Exerjian, for Lincoln Associates, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—129-92 Willets Point boulevard, southeast corner of Northern boulevard (Block No. 1833, Lot Nos. 215, 221, 410 and 425), Corona, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (678-42-A)

WHEREAS, Manoug Exerjian, for Lincoln Associates, owner, filed on September 18, 1942, an appeal from a decision of the borough superintendent, affecting premises 129-92 Willets Point boulevard, southeast corner of Northern boulevard (Block No. 1833, Lot Nos. 215, 221, 410 and 425), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated September 15, 1942, on N. B. Applic. No. 1099-42 reads:

"1. Erection of frame building inside the fire limits is contrary to 4.1.2 B.C. Further erection of frame buildings used for other than residence purposes is contrary to 4.1.3 B.C."

and

WHEREAS, the applicant has requested withdrawal of this appeal for the reason that the owners have decided not to proceed with the work.

Resolved, that the appeal be and it hereby is *withdrawn*.

683-42-S.

APPLICANT—DeWald Radio Manufacturing Corporation (lessee), for O. B. Potter Properties, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in decisions of the borough superintendent.

PREMISES AFFECTED—436-440 Lafayette street, west side, 121 ft. south of Astor place (Block No. 545, Lot No. 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Solomon Wald.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (683-42-S)

WHEREAS, DeWald Radio Manufacturing Corporation (lessee), for O. B. Potter Properties, Inc., owner, filed September 17, 1942, an application for variation of the Labor Law, as cited in decisions of the borough superintendent; premises, 436-440 Lafayette street, west side, 121 ft. south of Astor place (Block No. 545, Lot No. 34), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent dated July 24, 1942, reads:

"This is to acknowledge your letter of June 23, 1942 requesting permission to install panic locks on the door leading to the fire exits on the 5th and 6th floors which you occupy at the above premises.

Please be advised that Section 272 of the State Labor Law requires that 'no door leading into or out of an factory or any floor thereof shall be locked, bolted or fastened during working hours'.

This department is without power to vary the requirements of this law, and must therefore rule that the doors remain unlocked."

and

WHEREAS, the said decision was repeated in a decision of the borough superintendent, dated September 1, 1942; and

WHEREAS, the applicant states the building is six stories (90 ft.) in height, 100 ft. by 125 ft. in area; Class 3 construction; erected in 1890; unrestricted district; equipped with a standpipe, sprinkler, interior fire alarm systems, or 4 ft. wide interior stairs, of slate construction, fireproof enclosure, equipped with fireproof doors extending from roof to street and one exterior stairs extending to roof by ladder with egress from termination through No. 740 Broadway; that windows on the course of fire escape are fireproof; that the building is occupied as follows: subcellar, storage of metal goods, no persons; cellar, storage of metal goods, 10 persons; 1st floor, offices and assembly of metal goods, 40 persons; 2nd floor, mfg. novelties, 40 persons; 3d floor, electrical supplies, 10 persons; 4th floor, hat mfg., 60 persons; 5th floor, mfg. radio and electrical apparatus, 12 persons; 6th floor, mfg. radio and electric apparatus, 12 persons; and

WHEREAS, the applicant contends that by direction of the U. S. Army Signal Corps, panic bolts were installed on 5th and 6th floor exits, as indicated on plans filed with the appeal; that these panic bolts do not in any way hinder the safety of employees, but merely safeguard the war production in which the plant is engaged and it is therefore requested the Board permit the panic bolts to remain; and

WHEREAS, the applicant has filed copy of order signed by the Plant Protection Officer of the United States Army

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requesting that panic bolts be installed on the doors leading to fire escapes on the 5th and 6th floors.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent dated July 24, 1942, and the application be and it hereby is *granted on condition* that the panic bolts shall be of an approved type and shall be installed only on the door leading to the exterior fire stair exit and on the fifth and sixth floors only; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 78-35-A, as to the standpipe system; that guards shall be maintained at the door on both the fifth and sixth floors leading to the primary means of exit; that this variance may be continued only during the term of the present emergency.

684-42-S.

APPLICANT—Bemis Bro. Bag Company, owner.

SUBJECT—Variation of the labor law as cited in order and a decision of the fire commissioner.

PREMISES AFFECTED—5102-5124 Second avenue, west side, from 51st to 52nd streets, 5101-5123 First avenue, 102-184 51st street and 101-183 52nd street (1st story); (Block No. 796, Lot Nos. 1 and 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Robert W. Hause.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (684-42-S)

WHEREAS, Bemis Bros. Bag Company, applicant and owner, filed September 21, 1942, an application for variation of the Labor Law, as cited in an order and a decision of the fire commissioner, premises: 5102-5124 Second avenue, west side, from 51st to 52nd streets, 5101-5123 First avenue, 102-184 51st street and 101-183 52nd street (1st story); (Block No. 796, Lot Nos. 1 and 6), Borough of Brooklyn; and

WHEREAS, Order No. 8131-LF, issued by the fire commissioner February 21, 1942, reads:

"2. Unlock and remove panic bolts from doors 1st story. Section 272 Labor Law."

and

WHEREAS, the above order was referred to in a decision of the fire commissioner dated September 14, 1942; and

WHEREAS, the applicant states that the building is one and three stories, and pent-house (57 ft.) in height, 200 ft. by 300 ft. in area; Class 1 construction; erected in 1921; located in an unrestricted district and occupied as follows: 1st floor, storage and opening of bales, 20 persons; 2nd floor, mfg. bags, storage and administrative offices, 100 persons; 3rd floor, mfg. bags, 250 persons; the building is equipped with sprinkler, standpipe and interior fire alarm systems; that fire drills are maintained; that there are four 5 ft. fireproof stairs in the building leading to the roof, three of which lead direct to street and one to court at rail siding; and

WHEREAS, the applicant contends that permission is requested to equip the two rear doors of the building, one facing on 51st street and one on 52nd street, with panic bolts to comply with an order from the Engineering Procurement Division of the War Department, in order to prevent sabotage; that the two doors at front of building lead to 51st street front at 2nd avenue and on 2nd avenue will be kept open and guarded in compliance with the Labor Law; that the plant is engaged in production of war materials and the installation of panic bolts, as requested, is necessary; that applicant has filed copy of communication

from the War Department directing the installation of panic bolts in question.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in an order of the fire commissioner on Order No. 8131-LF, and the application be and it hereby is *granted* as to Item No. 2, *on condition* that the panic bolts shall be of an approved type and shall be installed only on the exterior doors, one to 51st street and one to 52nd street, as indicated on plans filed with this appeal; that this variance shall continue only during the term of the present emergency; that the fire-fighting equipment shall be maintained as set forth, to the satisfaction of the fire commissioner and fire drills shall be maintained; that no railroad cars shall be permitted to remain opposite the exit and siamese connection on 52nd street; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

690-42-A.

APPLICANT—Industrial Engineering Company, for Kollsman Instrument Division of Square D Company, lessee, acting for and on behalf of Defense Plant Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—80-06 47th (Fitch) avenue, south side, 433 ft. west of 82nd street (Block No. 1536, Lot Nos. 53, 55 and 58), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: J. A. Flynn and Walter E. Retz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (690-42-A)

WHEREAS, Industrial Engineering Company, for Kollsman Instrument Division of Square D Company, lessee acting for and in behalf of Defense Plant Corporation, owner, filed September 22, 1942, an appeal from a decision of the borough superintendent; premises 80-06 47th (Fitch) avenue, south side, 433 ft. west of 82nd street (Block No. 1536, Lot Nos. 53, 55 and 58), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, acting on M. Applic. No. 3966-42, dated July 16, 1942, reads:

"2. Chimney does not conform to Rule 12.1. Oil Burner Rules, Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building which is now under construction will be 5 stories (60 ft.) in height, 200 ft. by 100 ft. 10 in. in area; of Class 1 construction; equipped with a standpipe system; located in an unrestricted use district and used throughout for manufacturing; and

WHEREAS, the applicant contends that it is proposed to install two Pacific Boilers, No. 6081, each 107 H.P., with an operating pressure of 10 lbs. steam pressure (maximum) and fired with one each Todd Rotary Fuel Oil Burner, Size C, Type R-A*H and will have a capacity of 6,937,500 B.T.U. per hour each; also one H. B. Smith No. 834 High Test hot water summer boiler fired with a Hart Model D2 Oil Burner, capacity 1,400,000 B.T.U. per hour; that the estimated temperature at the point of smoke breaching entering chimney is 500° F.; that Rule 12.1 of the Oil Burner Rules is discriminatory against this type of fuel; that if the boilers were fired by any other fuel than oil, there would be no objection to having boilers connected to a common breaching entering one flue or chimney; that compliance with the objection appealed would be a hardship and necessitate a considerable expense to the owners of the premises; and

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WHEREAS, the applicant states that the heating boilers are alternates and only one will be operated at a time and the proposed hot water boiler will be operated only in the summer, when the heating boiler is not in operation; that each heating boiler is equipped with its own automatic damper; that the construction of the chimney complies in every respect with the Code requirements therefor for a medium temperature device.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 3966-42, Obj. No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the boilers shall be maintained and operated as shown on plan filed with this appeal and as herein set forth; that in all other respects, the installation shall comply with all laws, rules and regulations applicable thereto.

756-42-A.

APPLICANT—L. Reyner Samet, for Frances Mount Dear, Richard F. Mount and Elizabeth J. Mount, owners.
SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—1100 East 177th street, south side, intersection of Devoe avenue (Block No. 3903, Lot Nos. 50 and 90), Borough of The Bronx.

APPEARANCES—

For Applicant: Tex O'Rourke, Allen B. Bates and L. Ryner Samet.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Recessed to November 6, 1942 at 10 A. M. and then granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Deputy Chief Murphy	3
Negative:	0
Absent: Commissioner Savage	1

THE RESOLUTION (756-42-A)

WHEREAS, L. Reyner Samet, for Frances Mount Dear, Richard F. Mount and Elizabeth J. Mount, owners, filed on October 23, 1942, an appeal from a decision of the borough superintendent, affecting premises 1100 East 177th street, south side, intersection of Devoe avenue (Block No. 3903, Lot Nos. 50 and 90), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated October 20, 1942, on N. B. Applic. No. 164-42 reads:

"1. These two structures, used for public assembly, the area of each being 6,400 square feet, must be of Class I or Class II construction, as per Section 4.2.1 of the Building Code.

2. The proposed use of wood footings for these structures is contrary to Section 8.3.1.3 of the Building Code."

and

WHEREAS, the applicant states that it is proposed to erect two sections of bleacher type steel frame grandstands, each 32 ft. by 200 ft. in area, 10 ft. in height, supported on 3 in. by 8 in. fir flats and to occupy the premises consisting of an area of 312 ft. by 339 ft. as a soccer playing field; and

WHEREAS, the applicant contends that on September 23rd, the U. S. Army took possession of the Coliseum building, a soccer field adjoining the Coliseum building and a large parking lot immediately to the rear; that since the acquisition of the premises by the Army, the owners removed from the Coliseum building, all of the bleacher or grandstand seats; that the soccer field which was taken by the Army, was leased for regularly scheduled games and accordingly, the owner desires to utilize the portion of the premises in question as a soccer field to continue these regularly scheduled games; that as the Building Code makes no specific reference to an open-air stadium, it is felt that the owner should not be governed with regulations which obviously refer to enclosed buildings; that the seating arrangements are the same as were approved by the Board for the grand-

stands inside the building under Cal. No. 1080-41-A; that each section of 168 seats in the grandstand is separated by two 4 ft. aisles and no person will be seated more than 7 seats from an aisle; that the bleachers are 10 in. to 10 ft. in height and of steel construction and more than adequate to support 2352 persons in each grandstand; that governmental regulations prohibit the use of material other than wood for flooring or for footings; that steel cannot be procured for the flooring; that it compelled to support the structures on concrete blocks, the cost would make the operation prohibited by the WPB regulations; that the wood footings and flooring, which it is proposed to use, are in the possession of the owners and the proposed construction can be completed without purchasing any new materials; that the owners have entered into an agreement with the City of New York, whereby the sum of \$2500 a month is to be paid on account of current and tax arrears; that the Army has fixed no rent for the property taken; that the owners are left with the portion of the plot now in question on which it is proposed to erect the soccer field and a swimming pool, in order to secure the income necessary to carry out the taxpaying agreement with the City; and it is further requested that relief be granted by the Board on the objections herein appealed.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 164-42, Objection Nos. 1 and 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed bleacher grandstand and the proposed soccer field shall be located substantially as indicated on plan marked "Received November 5, 1942," that such stands shall be of steel frame construction, being the same stands as formerly passed on for use in the Coliseum building on the same premises (See Cal. No. 1080-41-A); that such stands may be erected on wood footing and may have wood superstructure for seats, walkways and stairs, substantially as were formerly constructed and used in the Coliseum building; that no additional bleachers shall be constructed unless they are of the same general construction; that the space underneath the bleachers shall be leveled and surfaced with clean gravel over which there shall be a layer of steam cinders; that such surfacing shall be treated with calcium chloride or other suitable, non-inflammable material to prevent vegetable growth; that the space under the bleachers shall be kept clean daily; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that such grandstands may be permitted only so long as they are used as proposed and in accordance with the requirements of this resolution; that entrances and exits to the proposed soccer field shall be maintained over adjoining lots under the same ownership from East 177th street.

769-42-A.

APPLICANT—Charles M. Lobejager, for Lawrenceville Realty Corp., owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—41-12 and 41-14 63rd street, west side, 150 ft. south of Woodside avenue (Block No. 1337, part of Lot No. 27), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Charles M. Lobejager.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy	
Negative:	

THE RESOLUTION (769-42-A)

WHEREAS, Charles Lobejager, for Lawrenceville Realty Corp., owner, filed on October 30, 1942, an appeal from

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decision of the borough superintendent, affecting premises 41-12 and 41-14 63rd street, west side, 150 ft. south of Woodside avenue (Block No. 1337, part of Lot No. 27), Woodside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated October 28, 1942, on Alt. Applic. No. 1892-42, reads:

"1. The conversion of a frame dwelling located within the fire limits to business use is contrary to Section 4.1.5 of the Building Code."

and
WHEREAS, the applicant states that the buildings are three stories (35 ft.) in height, 40 ft. by 50 ft. in area; of Class 4 construction; located in a business use district; erected about 1900, occupied as Class A Multiple dwellings; that it is proposed to be occupied: cellar, boiler room and storage; first floor, offices, 20 persons; second floor, offices, 10 persons; third floor, storage of records, 1 person; and

WHEREAS, the applicant contends that the proposed building now consists of two three-story frame dwellings, cellar is used for heating and storage purposes only; that the first floor is divided into two four-room apartments and the second and third floors into two five-room apartments; that it is proposed to retain the present use of the cellars as boiler room and storage of fuel; use the first floor for interviews of prospective employees; second floor as offices, and third floor, storage of records; that it is proposed to cut two new doorways between the two buildings on each of the first and second floors, so as to provide free passage; that stairways are wood from cellar to roof, with skylights over same; that the front exit will be altered to a single 3 ft. 8 in. clear opening and additional side exit will be installed in the north wall; that new windows will be cut in the north and south walls in the first and second floors, to provide additional light and new toilet rooms installed on the second and third floors; that certain bathrooms will be removed, as indicated on plan filed with this appeal; that the War Department requires that no unauthorized person be admitted to the factory building and it is necessary that the owner and the F.B.I. investigate persons seeking employment in the factory buildings and for this reason it is requested the Board grant permission to occupy these two frame buildings, when altered, as a single building for use of interviewing, recording and the issuance of application forms and the storage of records in connection with employment; that the owners are receiving many applications from prospective employees and that in view of the fact the applicant is engaged in defense work and that the War Department has requested this matter be expedited, it is requested the Board grant this modification; and

WHEREAS, the buildings in question were erected under Applic. No. 819-1905, as frame tenements.

Resolved, that the decision of the borough superintendent on Alt. Applic. 1892-42, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building shall be occupied as proposed, only during the term of the present emergency and such use shall be discontinued upon termination thereof; that any door openings that are cut in the brick filled wall between the two former tenement buildings shall not exceed 3 ft. 8 in. in width and shall be protected by approved fireproof doors; that any window openings in such wall shall not exceed 10 sq. ft. in area and shall be fireproof with any glass therein wire glass and such windows shall be made self-closing; that the cellar ceiling throughout shall be protected with metal lath and plaster; that the interior and exterior means of exit shall be maintained, provided they are as shown including the exterior fire escape heretofore erected in compliance with the Tenement House Law and except that one exit to the street from the first story towards the front may be discontinued provided a side exit is constructed in substitution therefor as shown on plans filed with this appeal with a passageway protected with fire-retarding partitions leading thereto; that the storage proposed for the third story shall be only such papers as are required in connection with the use as proposed for this building; that the floors shall be capable of sustaining a live load of 50 lbs. per superficial foot and such loading

shall be posted; that such portable fire-fighting appliances shall be maintained throughout as the fire commissioner shall direct; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

527-41-A.

APPLICANT—Benjamin Levine, attorney, for Premo Pharmaceutical Laboratories, Incorporated, lessee, for Estate of Moses Gardner and Adolph Bauer, owners.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—443-447 Broadway, west side, 150 ft. north of Howard street and 20-24 Mercer street (Block No. 231, Lot Nos. 37 and 38), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred J. O'Brien and Benjamin Levine.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (527-41-A)

WHEREAS, Theodore A. Blackman, for Premo Pharmaceutical Laboratories, Inc., lessee, for the estate of Moses Gardner and Adolph Bauer, owners, filed on June 10, 1941 an appeal from an order of the fire commissioner; premises 443-447 Broadway, west side, 150 ft. north of Howard street and 20-24 Mercer street (Block No. 231, Lot Nos. 37 and 38), Borough of Manhattan; and

WHEREAS, Order No. 25695-LC, issued by the fire commissioner, dated May 12, 1941, reads:

"With reference to your application dated February 24, 1941 for a permit to maintain a wholesale drug store, at above location. I regret to inform you that this department is without power to grant such a permit for the reason:

Section C-19-136.0-3, Article 24 of the New York City Administrative Code prohibits the issuance of such permit in any building which is occupied as a workshop or factory, except in buildings constructed of fire resisting materials throughout and when the portion of such building occupied by the applicant is separated from the rest of the building by fireproof walls and floors. And, whereas, the manufacture of dresses and costumes is carried on in the building numbered 447 Broadway.

You are heretofore, hereby, advised to

1. Discontinue the maintenance of a wholesale drug store, or drug and chemical supply house on these premises. Section C19-134.0, Article 24 of the Administrative Code."

and

WHEREAS, the building known as 443 Broadway is five stories and basement (80 ft.) in height; 50 ft. by 200 ft. in area; of Class 3 construction; and the building known as 447 Broadway is five stories and basement (80 ft.) in height; 24.11 ft. by 200 ft. in area; of Class 3 construction. There is a sprinkler system in No. 443 Broadway and also a standpipe system. No. 447 is unsprinklered and is not provided with a standpipe system. The buildings are approximately 50 years of age. No. 443 Broadway is occupied: basement, first, second and fifth floors, one tenant for the storage of cotton piece goods, 26 persons; on the third and fourth stories for the manufacture of pharmaceuticals,

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25 persons. No. 447 Broadway is occupied: basement and first floor, silk, cotton bedspreads, woolen piece goods, 6 persons; second floor, textiles, 7 persons; third and fourth floors, laboratory, manufacture and packaging of pharmaceuticals; fifth floor, manufacturing and repairing of theatrical costumes, 12 persons; and

WHEREAS, the applicant contends that No. 443 Broadway is completely sprinklered with central station valves alarm service; that No. 447 Broadway which is the building in question is not sprinklered; that the tenant of the fifth floor engaged in the alteration and repair of theatrical costumes will vacate the premises on February 1, 1943; that it is now proposed to extend the wet sprinkler system from No. 443 to the building in question at 447 Broadway on the third and fourth floors, or to fire retard the ceiling of the fourth floor and to similarly fire retard all partitions leading to the stairs or elevator shafts, and also to equip the openings of such partitions with kalamein doors and frames; and

WHEREAS, this appeal was granted by the Board on July 15, 1941, on certain conditions, resolution amended on December 2, 1941 and applicant requested a further amendment of the resolution, to omit requirement for obtaining Certificate of Occupancy.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on July 15, 1941, as amended on December 2, 1941, so that as amended, the resolution shall read:

"Resolved, that the order of the fire commissioner No. 25695-LC, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the two floors in 447 Broadway, namely the 3rd and 4th, occupied by the same concern that occupies 443 Broadway for the manufacture and storage of drugs, may be occupied for the manufacture of drugs deemed not extra-hazardous by the Fire Department, provided such floors in 447 Broadway are separated from 443 Broadway by horizontal exits having approved sliding fire doors on either side of the wall at all openings; that the sprinkler system now installed in 443 Broadway shall be maintained and shall be extended so as to cover also the two floors, namely the 3rd and 4th, occupied by this tenant at 447 Broadway; that such sprinkler system shall be maintained to the satisfaction of the fire commissioner and in accordance with all requirements therefor and shall be connected with fire headquarters through a central station service; that unless the 5th floor of 447 Broadway, now occupied for the manufacture and repairing of theatrical costumes is immediately vacated, the ceiling under same shall be fire-retarded; that in all other respects the building and occupancy of 447 Broadway shall comply with the requirements of the Labor Law and all other rules, laws and regulations applicable thereto."

APPLIANCES AND MATERIAL SUBMITTED FOR APPROVAL

490-41-SM.

APPLICANT—The Richmond Fireproof Door Company, owner.

SUBJECT—The Richmond Fireproof Door Company 3 Hour Swinging Metal Doors (in pairs), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

134-35-SA.

APPLICANT—Sherwood Brothers Incorporated (Oil Heating Division), for Anchor Post Fence Company, owner.

SUBJECT—Application reopened September 9, 1941—re amendment of Resolution to include approval under name of Sherwood Oil Burner (previously approved re Fluid Heat (Gun Type) Oil Burner).

APPEARANCES—

For Applicant: None.

ACTION OF THE BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (134-35-SA)

WHEREAS, Irving T. Hecht, for Anchor Post Fence Company, owner, filed May 25, 1935, an application with the Board of Standards and Appeals for approval of the appliance known as the Fluid Heat (Gun Type) Oil Burner, Model P; and

WHEREAS, this appliance was approved by the Board June 25, 1935, on certain conditions; and

WHEREAS, on June 18, 1940, the resolution was amended, permitting the marketing of this oil burner under the names Torridheet, Model P and Westinghouse, Model P; and

WHEREAS, the applicant requested a further amendment of the resolution, to permit the burner to be marketed under the name, Sherwood Oil Burner, Model P; and

WHEREAS, this application was reopened by vote of the Board on September 9, 1941, and referred to the Committee on Tests for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS

November 2, 1942.

Cal. No. 134-35-SA.

Subject: Amendment of resolution to include name Sherwood Oil Burner.

The Board of Standards and Appeals on June 25, 1935, approved the Fluid Heat (Gun Type) Oil Burner Model P, for use in domestic and commercial installations with fuel oil not heavier than #3. The resolution was amended June 18, 1940, to permit marketing as the Torridheet, Model P, and as the Westinghouse, Model P.

Request has been made for permission to market the burner under the name Sherwood Oil Burner, Model P, and the application was reopened September 9, 1941 for report by the Committee on Tests.

The Committee has examined into this matter and in view of the statements that there have been no structural changes in the burner and that the burner conforms to Rule 4.1.2 of the Oil Burner Rules, the Committee recommends that permission be granted to market this burner as the Sherwood Oil Burner, Model P, under the conditions set forth in the resolution of June 25, 1935.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests

and

WHEREAS, this report recommended the amendment of the resolution, to include in the approval, the Sherwood Oil Burner, Model P.

Resolved, that the Board of Standards and Appeals do hereby amend the resolution of June 25, 1935 and approve the appliance known as the Sherwood Oil Burner, Model P on condition that the appliance be manufactured, installed and labelled, stamped or tagged in accordance with the above report.

53-42-SA.

APPLICANT—Elevator Appliance Company, Incorporated owner.

MINUTES

SUBJECT—Elevator Appliance Company, Incorporated,
Electro-Mechanical Interlocks, Types CD, CS, DS
and ED, approval of.

APPEARANCES—

For Applicant: Harry R. Cullmer.

ACTION OF BOARD—Appliance approved in accordance
with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (53-42-SA)

WHEREAS, the Elevator Appliance Co., Inc., owner, filed on
January 16, 1942, an application with the Board of Standards
and Appeals for approval of the appliance known as the
Elevator Appliance Co. Inc., Electro-Mechanical Interlocks,
Types CD, CS, DS and ED; and

WHEREAS, this appliance was submitted to the Committee
on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 4, 1942.

Re: Cal. No. 53-42-SA.

Subject: Elevator Appliance Company, Electro-
Mechanical Interlocks, Types CD, CS, DS, ED.

The Elevator Appliance Company, Inc., New York,
N. Y., filed on January 16, 1942, with the Board of

Code, for approval of its Electro-Mechanical Interlocks,
Types CD, CS, DS, and ED for use in New York City
under the provisions of Article 14 of the Administrative
Code.

The Type DS Interlock, Fig. 1 with parts as identified,
is of the double contact type used on swinging doors
with a retiring cam and cam operating mechanism. The
sheet iron switch box is $6\frac{3}{4}$ " x $3\frac{1}{4}$ " x $1\frac{13}{16}$ " deep
and is provided with $\frac{3}{32}$ " wrought iron covers on two
sides. A $\frac{5}{16}$ " laminated bakelite shelf carrying two
contacts (10) is held in slots milled in the box. A
contact bridge (8) mounted on a bakelite support is
secured to the contact lever (13) which is fastened
to the box by a loose pin which permits an angular
motion of the lever and bridge. A bevelled nose on the
lever protrudes through a hole in the box to engage
with a bronze plate on the door. Another bakelite shelf
carrying two contacts (11) is placed in slots milled in
the box about $2\frac{3}{8}$ " below the upper shelf. A contact
bridge mounted on a bakelite support is secured to the
contact bolt (6S) and is permitted an angular move-
ment around a shaft through the contact bolt. An
actuating lever (9) protrudes through the back of the
box; inside the box this lever is provided with a pin
which engages a slot in the contact bolt (6S) and out-
side the box the cam lever (7) is mounted in such a
position that the roller will engage the retiring cam on
the car. This assembly is mounted on the door buck
approximately $4\frac{13}{32}$ " above the center of the standard
latch. Near the top of the door buck is mounted the
switchlocking lever which is connected by the locking
bar to the switch bolt (21) which in turn extends
through a hole in the top of the box and engages a lug
on the contact lever and locks this lever in position
when the door is open. When the door is in its closed
position with the retiring cam on the car raised, the
contact bolt (6S) protrudes into an orifice in the door
plate, and the operating circuit is closed through con-
tacts (11); the strike plate at the top of the door
engages with a switch-locking lever, the locking bar
and bolt is raised, the contact lever (13) is forced into
the box by the door plate and the cam operating circuit
closed through two contacts at (10) and bridge (8).

When the car is at the landing with the retiring cam
released, it engages the roller on the cam lever and
rotates the actuating lever a few degrees. This motion
is transmitted through the pin in the actuating lever
and slot in the contact bolt to withdraw the bolt from
the door plate and to open the car operating circuit at
contacts (11). The door may then be opened, and as it
is opened the door plate moves from in front of the
contact lever, which is then rotated through a limited
arc by gravity, and opens the cam operating circuit at
(10). When the door is open the strike plate at the
top of the door no longer engages the locking lever, and
the switch locking bolt drops against the lug on the
contact lever, locking the cam operating circuit in the
open position.

When the door closes, the strike plate at the top of
the door pushes on the locking lever, raising the locking
bar and disengages the locking bolt from the lug on
the contact bar. The door plate then engages the be-
velled nose on the contact lever (13), pushing it into the
box and closing the cam operating circuit at (10).
When this circuit is completed the retiring cam is raised
and moves away from the cam lever roller. The contact
bolt (6D) spring and gravity actuated then drops into
the orifice in the door plate thus locking the door, and
the contact bridge engages the two contacts (11) there-
by closing the circuit at this point.

The type "CS" Interlock is identical with the type
"DS" except that it is placed in a different position on
the door and the auxiliary locking bolt used on the type
"DS" is omitted.

The type "ED" is similar to the type "DS" except
that a different design of potential contact bolt is used.

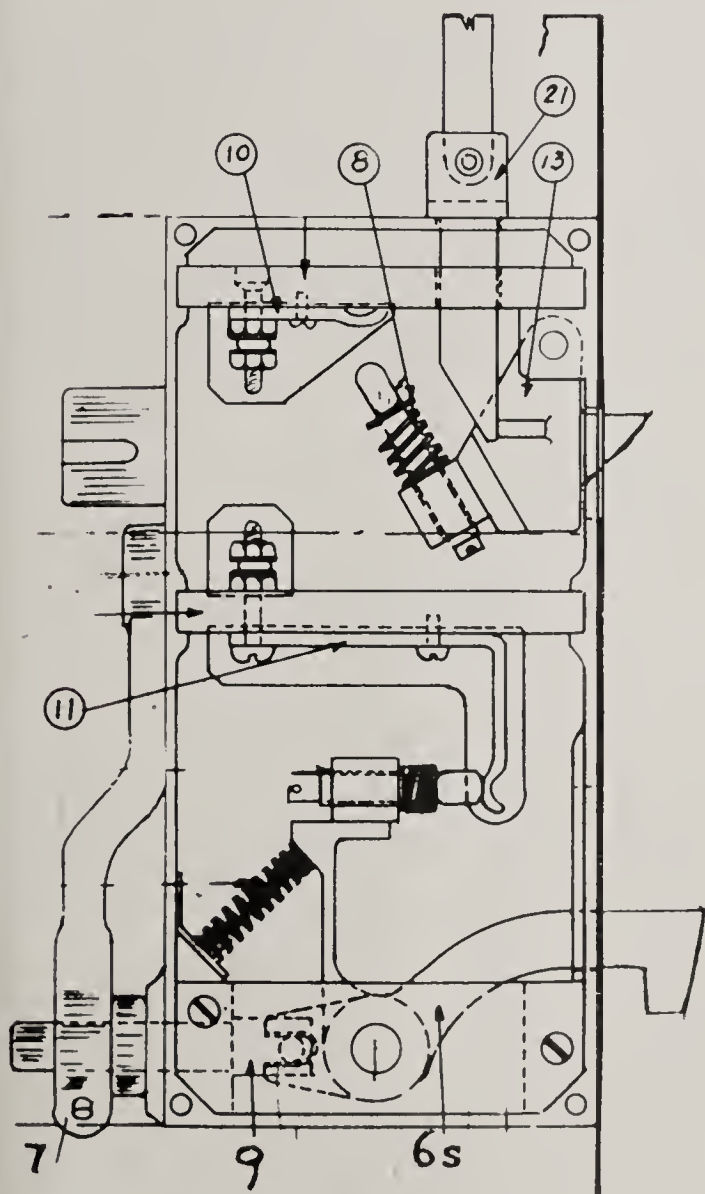


Fig. 1

Standards and Appeals, an application under the re-
quirements of Section C26-178.0b of the Administrative

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The type "CD" is identical with the type "ED" except that it is mounted in a different position on the door frame and the auxiliary locking bolt used on the type "ED" is omitted.

Test.

These interlocks were tested at Columbia University's Engineering Testing Laboratories (Report No. E-3) in accordance with requirements of Group 1, Sub-Article 9 of Article 14 of the Administrative Code. The Type "DS" Interlock was subjected to:

1. Endurance Test Section C26-1180.0
2. Test in Moist Atmosphere..... Section C26-1182.0
3. Current Interruption Test..... Section C26-1182.0
4. Test without Lubrication..... Section C26-1183.0
5. Misalignment Test Section C26-1184.0
6. Insulation Test Section C26-1185.0

Because of common similarity the Type "CS" was subjected to only the Misalignment Test, the Type "ED" to the Endurance and the Misalignment Tests and the Type "CD" to the Misalignment Test. All the interlocks tested successfully. The applicant has filed a letter certifying that the clearances between working parts of the device are such that they will satisfactorily function within the temperature range as required by Section C26-1179.0.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval, under Section C26-191.0 of the Administrative Code, of the Elevator Appliance Company's Electro-Mechanical Interlocks, Types CD, DS, CS, and ED (Fig. 1) as having met the requirements of Sub-Article 9, Group 1 of Article 14 of the Administrative Code, for use in New York City, when installed in accordance with the pertinent provisions of the Code. The committee further recommends that all appliances manufactured under this approval shall be permanently marked, labelled, or stamped reading as follows: "Approved by the Board of Standards and Appeals under Cal. No. 53-42-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Elevator Appliance Co., Inc., Electro-Mechanical Interlocks, Types CD, CS, DS and ED, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

603-42-SA.

APPLICANT—Air Reduction Sales Company, owner.
SUBJECT—Airco Stationary Acetylene Generators, 300 lb. and 500 lb. capacity, approval of.

APPEARANCES—

For Applicant: Joseph D. McNamara.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (603-42-SA)

WHEREAS, the Air Reduction Sales Co., owner, filed on July 31, 1942, an application with the Board of Standards

and Appeals for approval of the appliance known as the Airco Stationary Acetylene Generators, 300 lb. and 500 lb. capacity; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 30, 1942.

Re Cal. No. 603-42-SA.

Subject: Airco Stationary Acetylene Generators, 300 lb. and 500 lb. capacity, approval of.

The Air Reduction Sales Co. filed on July 3, 1942, an application with the Board of Standards and Appeals for approval of the Airco Stationary Acetylene Generators, 300 lbs. and 500 lbs., single and double rated, under the pertinent provision of the Administrative Building Code.

These are stationary automatic acetylene generators of the medium pressure type (not over 15 lb. per sq. in.) for use with oxy-acetylene welding and cutting systems. Each machine operates on the carbide-to-water principle. The carbide feed mechanism of each machine is similar in design and is of the circular platform type operated by a weight-driven motor.

Use—

These stationary generators are intended to be installed and used for the installation and operation of gas systems for welding and cutting.

Size and Rating—

The sizes and ratings of these generators are indicated below:

Commodity No.	Carbide Capacity	Carbide Size	Maximum Rating Cu. Ft. of Gas Per Hr.
8020311	300 lb.	1¼ by ⅜ in.	300
8020312	300 lb.	¼ by 1/12 in.	600
8020512	500 lb.	¼ by 1/12 in.	1000

The total amount of carbide that can be introduced into the hopper to fill all available space shall not exceed in number of pounds the number of gallons of water contained in the generating chamber.

Assembly—

Each generator consists essentially of the following parts or assemblies.

1. Generator shell
2. Water filling and overflow systems
3. Carbide hopper and feed mechanism
3. Feeding regulator
5. Relief valves
6. Hydraulic back pressure check
7. Interference arrangements
8. Piping and fittings

The generator shell is made in three main sections consisting of the cylindrical lower portion, the upper conical portion and the bottom. These parts are of sheet steel and all joints in the assembly are welded. After forming, the shell assembly and cover are coated by the hot galvanizing process.

Generator Size	Diameter of Shell	Upper and Lower Portions of Shell	Bottom
300 lb.	42¾ in.	No. 12 USg (0.104 in.)	3/16
500 lb.	54¾ in.	No. 10 USg (0.134 in.)	3/16

A cylindrical sheet-steel support is welded to the lower portion of the shell as shown. This support raises the generator bottom well above the floor, and is provided with a series of ventilation openings.

An angle iron is welded to the top of the shell and serves as a seat for the generator cover. This cover is secured to the angle iron by ½ in. bolts with nuts, the joint being made up with a rubber gasket.

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Each generator is provided with a lever gate type of sludge draw-off valve threaded on a pipe fitting welded to the generator bottom.

A revolving sludge agitator of bolted galvanized steel bar and sheet-steel construction, is carried on a cold rolled steel rod which passes through a stuffing box incorporating a shouldered gland beveled at its inner end. The stuffing box recess is also beveled. The opposite end of the agitator rod finds a bearing in a strip of band iron welded to the inside of the shell. The outer end of the rod is formed into a handle.

Water-Filling and Overflow Systems—The water-filling and overflow systems are equipped with $1\frac{1}{2}$ in. galvanized piping. The former consists of a water-filling funnel which is piped to the water chamber of the hydraulic back pressure check and from thence through the side of the generator shell to a vertical water-seal pipe which terminates approximately 3 ft. below the normal water level in the generator.

The water overflow system is equipped with a similar water-seal pipe which is piped through the side of the generator shell to a vertical water overflow discharge pipe, the upper end of which is open to the atmosphere in such a manner as to prevent the water overflow system from functioning as a syphon.

All pipe connections to sheet-metal parts are made through proper spuds or couplings welded to the sheet metal.

Both the water-filling and the water overflow systems are equipped with $1\frac{1}{2}$ in. lubricated plug types of shut-off valves. There are two of these in the water-filling system and one in the water overflow system. The former are located between the water-filling funnel and the hydraulic back pressure check chamber and also between the latter and the filling water-seal pipe. The overflow shutoff valve is situated between the overflow water-seal pipe and the overflow discharge pipe. All three of these valves are mechanically interconnected so as to be operable in unison by means of a single control handle, hereafter referred to as the "main control handle."

This assembly is such that—

1. The flash back check chamber is filled to the proper level whenever the generator is charged.
2. The proper amount of water is introduced into the generating chamber.
3. The distance between the maximum water level and the lowest part of the feed mechanism is not less than 10 in.

Carbide Hopper and Feed Mechanism—The carbide hopper hangs in the top of the shell, being supported by a ring of $\frac{1}{2}$ by $\frac{3}{8}$ in. band iron, except in the case of the 500 lb. machine when the band iron is $\frac{3}{4}$ by $\frac{3}{8}$ in. This ring is riveted to the upper edge of the holder and rests on three or four band-iron lugs welded to the inside of the generator shell, about $\frac{1}{2}$ in. below the top at equidistant points around the circumference.

The sides of the hopper are straight, the conical bottom being riveted in place. The hopper is filled through two openings in the cover which are closed by threaded cast-iron plugs. The edge of each filling opening extends upward from the generator top, and is rounded to form a seat for a $\frac{3}{16}$ in. by $\frac{5}{16}$ in. rubber gasket which is carried in a recess in each plug, above the threads.

In the single rated 300 lb. generator three galvanized links, fastened to clips riveted to the hopper, support a ring of 1 by $\frac{1}{8}$ in. galvanized band iron which is somewhat larger than the throat ($5\frac{1}{2}$ in.) so that the ring can hang freely, and have the lower edge extend about $\frac{1}{4}$ in. below the edge of the throat.

In the 300 lb. double rated machine the distance between the bottom of the hopper spout and the platform has been decreased in order to accommodate the use of $\frac{1}{4}$ by $\frac{1}{12}$ in. carbide. A $11\frac{1}{8}$ in. circular plate made of 0.08 in. galvanized sheet steel is fastened by lock

nuts to a $\frac{3}{8}$ in. rod which passes up through a vertical tube in the center of the holder. This tube is supported by a bridge of $1\frac{1}{4}$ by $\frac{1}{4}$ in. galvanized band iron riveted to the sides of the holder.

In the case of the 500 lb. generator, a conically formed feeding plate is substituted for the circular plate mentioned above, and a special set of six spirally-formed plows are employed. The plate is of No. 22 gauge (0.031 in.) galvanized sheet metal, $11\frac{1}{2}$ in. in diameter.

A nut with four prongs projecting upward, threaded onto the upper end of the rod, supports the plate. The prongs engage with the driving mechanism. In the 300 lb. single rated generator, the circular plate is carried about $3\frac{1}{2}$ in. below the edge of the throat and in the 300 lb. double rated machine, this dimension is $2\frac{5}{8}$ in. The piling angles of the carbide used are such that the positions of the parts prevent the carbide from dropping into the water when the feed mechanism is at rest.

A second ring made of 1 by $\frac{1}{8}$ in. band iron, is hung concentrically with the first mentioned ring and in a similar manner. This second ring is about $11\frac{1}{2}$ in. in diameter, and the lower edge is about $\frac{1}{4}$ in. above the lower edge of the smaller ring. It will be noted that the outer ring hangs practically over the edge of the metal disc or plate on which the carbide rests, as noted above.

Four sheet-metal vanes are riveted to the outer ring at equidistant points around the periphery. These vanes are made of galvanized sheet steel, 0.050 in. in thickness, and the lower edges of the vanes extend $1\frac{3}{4}$ in. below the outer ring. One end of each vane is out with a point which projects inward, about 2 in. beyond the vertical projection of the ring, into the carbide on the plate. As the plate is rotated by the feed mechanism, the carbide is forced off the edge and into the generating water by these vanes.

The carbide is not likely to bind in the parts as the projecting vanes are carried on the outer ring which is suspended from three short galvanized chains, thus allowing considerable play.

A sheet-metal band, about 16 in. in diameter and $1\frac{3}{4}$ in. in width, is soldered to the bottom of the carbide hopper, around the rings, and serves to prevent condensation from running onto the carbide before it is fed into the generating water. The lowest part of the feed mechanism is never less than 10 in. above the highest water level.

A $\frac{1}{2}$ in. stainless steel rod passes through a stuffing box in the generator top. A cast lug threaded on the bottom of this rod engages the pronged casting on the rod which turns the carbide plate. The $\frac{1}{2}$ in. rod is operated by a weight-driven clock-work mounted on the generator top. The lower end is guided by the stuffing box and the upper end is aligned by means of a bracket carried by the frame work which supports the motor. This frame work consists of a bridge welded from 2 by 4 in. channel iron.

A $\frac{1}{4}$ in. galvanized wire cable supports the driving weights which consist of a number of eastings aggregating about 240 lbs. The bridge which is bolted to the top of the generator, holds a roller beyond the edge of the generator top. This roller is a guide for the cable, and serves to keep the weights clear from the shell. The motor has an adjustable centrifugal governor, and is rewound by means of a special ratchet wrench.

Carbide Feeding Regulator—This regulator is mounted on the top of the generator. The regulator body is provided with a threaded opening, for reception of a drilled cap screw, which extends through an opening in the generator cover, the head of this screw being on the underside of the cover. A rubber gasket is used between the cover and the regulator to seal against leakage.

The regulator body, the spring housing and the cover plate are of cast-iron. A $\frac{1}{16}$ in. fabric reinforced rubber diaphragm is clamped between the regulator body and the spring housing. A gasket cut from listed sheet packing is provided between the body and the dia-

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phragm. Six $\frac{1}{4}$ in. cap screws clamp the body and the spring housing together.

The regulator diaphragm is backed by a cast-iron plate. One end of cadmium coated steel spring seats over a shoulder on the diaphragm plate whereas the opposite end of the spring seats over a shoulder on a cast-iron pressure ring.

The regulator cover diaphragm is of fabric reinforced rubber with a thickness of $\frac{1}{16}$ in. A gasket cut from listed sheet-packing is used for making up the joint between the cover plate and the diaphragm. Six $\frac{1}{4}$ in. cap screws clamp the cover to the spring housing.

A centrally located hole is provided in the upper diaphragm for passage of the threaded portion of a diaphragm stud. This stud is threaded into the diaphragm plate. A steel washer is slipped over the threaded end of the stud and is located between the diaphragm and the stud body.

Adjustment of the spring is obtained by three equally spaced set screws threaded into the regulator cover plate. These screws bear against the spring pressure ring.

Two integrally cast arms are provided on the cover plate, between which is pivoted a cast-brass operating lever. One end of this lever seats in a recess in the diaphragm stud and is pivoted in place by a $\frac{1}{8}$ in. steel pin. A cadmium-coated steel cantilever type spring is attached to the operating lever by two machine screws. The opposite end of this lever is drilled for reception of a steel rod which controls the movement of a double acting frictional brake in the motor assembly. The latter is located adjacent to a brake wheel carried by the motor governor shaft.

A band iron lever installed horizontally is pivoted to lugs on the feeding regulator. One end of this lever is actuated by the regulator operating lever whereas the other end surrounds the feeding shaft which communicates the power of the motor through the top of the generator to the carbide feeding plate located below the hopper mouth.

The feeding shaft is fitted with a safety collar equipped with two projecting stop pins so disposed as to be engaged by the shaft encircling end of the horizontal lever.

Feeding of carbide is dependent upon the rise and fall of pressure within the generator which acts on the diaphragm of the feeding regulator. The motion of the diaphragm is transmitted, by the mechanism described above, to the double acting brake of the motor, thus causing the motor to start and stop in accordance with the demand for generation of gas. This mechanism also stops the motor when the pressure is relieved, as when the generator is opened for recharging.

If for any reason an excessive pressure is developed in the generator, a portion of the regulator operating lever contacts the horizontal band iron lever, thus causing its feed shaft encircling end to engage the stop pins on the feed shaft. This serves to lock the feeding shaft against further rotation and the feeding of carbide until the source of the disturbance has been removed.

The pressure at which this locking occurs is adjusted at the factory to a level of approximately 16 lb. per sq. in. In this manner the feeding regulator serves to furnish an emergency stop as well as to regulate carbide feeding.

It is not expected that this lock emergency will ordinarily function. It would function in case of some severe arrangement such as a racing of the generator motor as a result of a broken governor which could conceivably come about as a result of gross carelessness or wilful and deliberate tampering.

Relief Valves—The generating chamber is provided with a relief valve. It is provided with $1\frac{1}{2}$ in. inlet and outlet pipe threads and carries a metal plate which reads "Never Set to Over 15 Pounds per Square Inch." It is mounted close to the generator on one of the vent lines.

The body is made of cast iron, the seat is tinned brass, the stem is brass, and the adjusting nut is stainless steel.

It is provided with a rubber diaphragm which serves to close the valve under the influence of a backing plate stressed by a valve spring whose compression is adjustable by means of an adjustment bushing provided for that purpose. The pressure at which the valve will automatically relieve excess pressure is determined by the adjustment secured, through the use of this bushing. When properly adjusted, this bushing is sealed against further adjustment by means of a lead and wire seal threaded through one or more of the drillings in this bushing which are provided for that purpose.

The manual operation of this valve is accomplished by drawing on an axially disposed valve stem which penetrates the end of the cover casting and which is flexibly connected with the backing plate above mentioned.

For convenience of operation, the movement of this stem under manual control is effected through the agency of a link and lever system. This mechanism includes a vertical control shaft operable by either of two control handles, one being located adjacent to the top plate of the generator and the other about half way up the side of the generator.

The relief valve serves to relieve excess pressure from the hydraulic back pressure check chamber, being piped directly to the top of that chamber by means of $1\frac{1}{2}$ in. pipe. The outlet is to be piped to the outside of the building for venting. In details of construction and mode of operation, it is similar to the main relief valve just described, except that it is not provided with a means of adjustment, the dimensions involved in the design being such that an automatic relief pressure of not over 20 lb. per sq. in. is obtained upon assembly. It will be noted that this valve operates in unison with the main relief valve when manual operation is considered.

Hydraulic Back Pressure Check—The cylindrical chamber and the cover are of No. 10 USG (0.14 in. pressed steel, galvanized after forming. The chamber has a diameter of about 10 in. and a height of 18 in.

The chamber and cover are joined by a bolted construction, the joint being made up with a rubber gasket. Fittings for pipe connections to the assembly are welded in place.

The assembly is largely supported by means of the generator piping, but is also braced by a $\frac{3}{16}$ by $\frac{3}{4}$ in. galvanized steel band. This band is tightly drawn about the chamber by a $\frac{5}{16}$ in. wrought-iron turnbuckle.

The appliance has been approved by the Underwriters' Laboratories, Lab. File #A461. The Committee on Tests Accompanied by the representative of the Division of Combustibles of the Fire Department inspected and tested this appliance at 181 Pacific Avenue, Jersey City.

Recommendations.

On the basis of the inspection and test and the report of the Underwriters' Laboratories, the Committee on Tests recommends the approval of Airco Stationary Acetylene Generator, 300 and 500 lbs., single and double rated, provided the generators are constructed and operated in accordance with the report and the provisions of C19-92.0 of the Administrative Code, where legally permitted to be installed and operated, and provided that each generator shall have a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 603-42-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests

MINUTES

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Airco Stationary Acetylene Generators, 300 lb. and 500 lb. capacity, *on condition* that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

Adjourned, 4:10 P. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on October 14, 1942, as they appeared in Bulletin No. 42, Vol. 27, are hereby corrected to read as follows:

341-42-BZ.

APPLICANT—Ferdinand Savignano, for Mac Feioia, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment.

PREMISES AFFECTED—59 Madison street, north side, 66 ft. 2 in. east of Oliver street (Block No. 279, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Benjamin Goodrich and Patsy Morace.

For Opposition: Robert San Angelo and G. Goldman, Board of Education.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

*Correction—The address of premises corrected to read "59 Madison street, north side, 66 ft. 2 in. east of Oliver street."

Affirmative: 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (341-42-BZ)

WHEREAS, Ferdinand Savignano, for Mac Feioia, owner, filed April 24, 1942, an application under section 21 of the zoning resolution, to permit in a residence use district, the conversion of occupancy of an existing building to an undertaking establishment; premises 59 Madison street, north side, 66 ft. 2 in. east of Oliver street (Block No. 279, Lot No. 31), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Madison street, Henry street and Oliver street are each in residence and retail use districts; Catherine street is in a retail use district; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 2719-41, dated April 18, 1942, as amended July 31, 1942, reads:

"2. Proposed use of building as an undertaking establishment in a residence district is contrary to Secs. 6 & 3 of the Zoning Resolution."

and

WHEREAS, the applicant states that the existing building is of Class 3 construction, having a frontage of 21 ft. 1 in. and a depth of 104 ft. 6 in. and is two stories and basement in height and that it is proposed to convert the occupancy of the existing building to an undertaking establishment; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and is therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on Alt. Applic. No. 2719-41, objection No. 2, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939, EFFECTIVE, IN ACCORDANCE WITH SECTION (665, SUBDIVISION C) 666, PARAGRAPH 2, OF THE NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, December 4, 1942 at 10:30 A. M., Room 1013, Municipal Building, Manhattan, on Proposed Amendment to Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

NOTE—New matter in *italics*; old matter in parenthesis () to be omitted.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph(s) 2 (and 3),

of the New York City Charter (and C26-1268.0c 4) (14.7.1.3 BC) (and C26-1277.0h) (14.8.2.8 BC) *pertaining to Sections C26-1268.0,c,4. and C26-1277.0h. of the Administrative Building Code.*

Rule 1. Vacuum Breakers.

All vacuum breakers prescribed under these rules shall be set at least four inches above the flood level rim of fixtures or as otherwise specifically provided for in these rules. Each fixture with submerged inlets shall be independently controlled by an approved vacuum breaker or breakers the full size of supply pipe, as set forth in these rules.

PUBLIC HEARING

Rule (3) 2. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the (overflow) flood level rim of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture, or as otherwise provided for in these rules.

Water supply lines to water preheating apparatus utilizing waste water shall be equipped with an approved vacuum breaker located at least four feet above the highest elevation of the preheating apparatus or coil, with a check valve between the vacuum breaker and the preheating apparatus. Any hot water boiler supplied through such preheating device and having an independent cold water supply line shall have the cold water supply line equipped with a vacuum breaker and check valve located at least four inches above the highest elevation of the boiler.

Rule (1) 3. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly or indirectly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the (overflow) flood level rim of the fixture (to prevent siphonage or backflow of contaminated water into the housewater distribution piping and checked by the inspector.)

Rule (2) 4. Ballcocks.

All flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than (one-half) three-quarter inch above the overflow outlet of the flush tank.

Ballcocks controlling water supply to suction, roof or other intermediate tanks shall be located at least one inch above the flood level rim of the tank excepting that in roof tanks equipped with an overflow of a size at least one commercial diameter larger than the water supply pipe, the ballcock may be located two inches above the highest elevation of the overflow pipe. The overflow and emptying pipes of roof, suction and intermediate tanks shall not be directly connected to a drainage system, notwithstanding the permissive provisions of Section C26-1273.0,d of the Administrative Building Code for connection to a leader.

Rule (4) 5. Sterilizers.

Direct water supply connections to all sterilizers are prohibited, except such equipment as is approved by the Board. When approved sterilizers are used, the waste piping (for) from sterilizers shall not connect directly with any drainage system. (such waste piping shall discharge above an open, water-supplied, trapped and vented fixture).

Rule (5) 6. Aspirators—Water Siphons.

Direct water supply connections to aspirators, water siphons or similar apparatus (shall be equipped with an approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker) is prohibited except when approved by the Board. The waste pipe for this type of apparatus shall not connect directly with any drainage system (but shall discharge above an open, water supplied, trapped and vented fixture).

Rule (6) 7. Bidets—Bed Pan Washers.

Direct water supply connection to (Installation of) a bidet is prohibited. Water supply connection to

(bidets,) bed pan washers or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker. *Water supply to bed pan washer equipped with an approved valve shall be governed by Rule 3.*

Bed pan washers may be equipped with steam connections only when such equipment has been approved by the Board.

(Rule 7. Roof or Suction Tanks.)

(Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.)

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well or similar type pumps when permitted by the Department of Water Supply, Gas and Electricity shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant (agency) from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation. *Direct water connection is prohibited under Section C26-1223.0 Administrative Building Code*

Rule 10. Mortuary, Dissection, Operating and Embalming Tables or Equipment.

Mortuary, dissection, operating and embalming tables or equipment shall have no direct water supply connection. Hose used with such equipment shall terminate at least 12 inches at any point from the table or attachments.

Rule 11. Dishwashing and Laundry Machines.

Water supply to dishwashing and laundry machine shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the fixture. The vacuum breaker shall be located at least 4" above the highest elevation of the machine.

Rule 12. Chemical Solution Tanks or Apparatus.

Water supply connections to any tank or apparatus containing any chemical shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the tank or apparatus.

APPROVED APPLIANCES

ANTI-SIPHON DEVICES (VACUUM BREAKERS) APPROVED BY THE BOARD OF STANDARDS AND APPEALS UP TO AND INCLUDING NOVEMBER 10, 1942.

AMERICAN RADIATOR AND STANDARD SANITARY CORPORATION.

Standard Sanitary Tank Vacuum Breaker (anti-vacuum ballcock). Approved under Section C26-1277.0.
208-39-SA V. 24 No. 31 P. 1201
Standard Plate B—1942 Water Controller for Low Tank (for water closets). 1093-41-SM V. 27 No. 8 P. 195

BEATON-CALDWELL MANUFACTURING COMPANY.

Caldwell Syphon Breaker and Agitator, No. 115 (for use with submerged inlets). Approved under Section C26-1277.0 370-39-SA V. 24 No. 22 P. 823
Caldwell Syphon Breaker, No. 125 (for flush valves). Approved under Section C26-1277.0.
165-39-SA V. 24 No. 21 P. 769

NORMAN BOOSEY MANUFACTURING CO.

Boosey No. 2010 Vacuum Breaker.
888-41-SM V. 26 No. 52 P. 732

BRIDGEPORT BRASS COMPANY.

Bridgeport Brass Company Vacuum Breaker (for flushometer units). Approved under Section C26-1277.0.
611-40-SM V. 25 No. 28 P. 1029
V. 26 No. 42 P. 1402

MODESTO CALLEJO.

Bidoro Vacuum Breaker, Type D (for flushometers or other submerged inlets). Approved under Section C26-1277.0.
270-38-SA V. 23 No. 29 P. 941

COLDWATER BRASS COMPANY.

Anti-Back-Syphonage Ballcock, C.B.C. No. 136. Approved under Section C26-1277.0.
439-39-SA V. 24 No. 22 P. 824

COYNE & DELANY CO.

Coyne & Delany Vacuum Breaker, No. 50 (for flushometer valves). Approved under Section C26-1277.0.
908-40-SM V. 26 No. 1 P. 21
V. 27 No. 8 P. 194
Coyne & Delany Vacuum Breaker, No. 95 (for flushometer valves). Approved.
116-40-SM V. 25 No. 24 P. 857

COYNE & DELANY CO.

Delany Vacuum Breaker, DV No. 90 (for flush valves). Approved under Section C26-1277.0.
379-39-SA V. 24 No. 22 P. 824
Delany Vacuum Breaker, DV No. 88 (for flush valves). Approved under Section C26-1277.0.
842-38-SA V. 23 No. 51 P. 1625

CRANE COMPANY.

Novac Flush Valve-Vacuum Breaker. Approved under Section C26-1277.0. 174-38-SA V. 23 No. 29 P. 940
Crane C-7830 Vacuum Breakers for Supply Fixtures. Approved under Section C26-1277.0.
750-38-SA V. 24 No. 5 P. 168
Crane Company Vigilant Vacuum Breaker (for flushometer valves). Approved under Section C26-1277.0.
345-38-SA V. 23 No. 29 P. 942

A. F. CURTIN VALVE CO.

Curtin Rotary Ballcock. Approved under Section C26-1277.0 (14.8.2.8). 94-41-SM V. 26 No. 23 P. 840

DIERKER COMPANY.

Vacuum Breaker Unit for use for Dierker Therapeutic Apparatus. 1059-41-SM V. 27 No. 19 P. 539

HEDGES & BROTHER.

Hedges & Brother Pilot Vacuum Breaker. Approved under Section C26-1277.0.
186-39-SA V. 24 No. 14 P. 510

IMPERIAL BRASS MFG. CO.

Imperial Vacuum Breaker, Model M-1139. Approved under Section C26-1277.0.
1439-39-SM V. 25 No. 28 P. 1025
Watrous Flush Valve and Vacuum Breaker, Models Imperial, Majestic and Jewel. Approved under Section C26-1277.0.
351-38-SA V. 23 No. 50 P. 1582

KOHLER COMPANY.

Kohler K-9251 Float Valve and Vacuum Breaker. Approved under Section C26-1277.0.
492-39-SM V. 24 No. 31 P. 1208

BERNARD MARSAK.

Beal Vacuum Breaker for Flush Valve Equipped Fixtures. Approved under Section C26-1277.0.
685-39-SM V. 24 No. 27 P. 1029

MAC DONALD HARDWARE MFG. CO.

Kramer Vacuum Breaker. Approved under Section C26-1277.0.
1539-39-SM V. 25 No. 50 P. 1665

MURRAY AND SORENSON, INC.

Murray and Sorenson, Inc. Vacuum Breaker Types 1 and 2. Approved. 494-39-SM V. 24 No. 29 P. 1106

NORTHERN INDIANA BRASS CO.

Nibco Ace Type Back-Siphon Ballcock. Approved under Section C26-1277.0. 416-39-SA V. 24 No. 24 P. 913
Nibco King Anti-Siphon Ballcock, No. 09A. Approved as above. V. 25 No. 28 P. 1029

PELTON AND CRANE COMPANY.

Pelton and Crane Company Vacuum Breaker. Approved under Section C26-1277.0.
1105-39-SM V. 26 No. 3 P. 99
Pelton and Crane Vacuum Breaker Unit used with Pelton Surgical Cuspidor. 139-42-SM V. 27 No. 19 P. 540

PENBERTHY INJECTOR COMPANY.

Penberthy Vacuum Breaker. Approved under Section C26-1277.0. 1200-38-SA V. 24 No. 11 P. 400

SCOVILL MANUFACTURING COMPANY.

Scovill Vacuum Breaker Ballcock, No. 18. Approved under Section C26-1277.0.
515-39-SM V. 24 No. 27 P. 1029

APPROVED APPLIANCES

Scovill M.V.B. No. 21 and No. 22 Ballcocks. Approved.
942-38-SA V. 24 No. 7 P. 242
Scovill Vacuum Breaker Ballcock, No. 24-VB. Approved
under Section C26-1277.0.
283-40-SM V. 25 No. 21 P. 733
Scovill "S" Vacuum Breaker Ballcocks. Approved under
Section C26-1277.0. 109-39-SA V. 24 No. 11 P. 401

SLOAN VALVE COMPANY.

Sloan Vacuum Breaker Model V-60-A. Approved under
Section C26-1277.0. 167-38-SA V. 23 No. 29 P. 940
Sloan V-100-A Vacuum Breaker. Approved under Sec-
tion C26-1277.0. 1224-39-SM V. 24 No. 46 P. 1655
Sloan V-100-A Vacuum Breaker—improved model. Ap-
proved under Section C26-1277.0. V. 25 No. 49 P. 1635
Sloan V-100-B Vacuum Breaker. Approved under Sec-
tion C26-1277.0. 139-40-SM V. 25 No. 25 P. 905
Sloan "Lo-Flo" Flush Valve Water Closet Combination.
Approved under Section C26-1277.0c (14.8.2.3).
57-41-SM V. 26 No. 24 P. 879

SPEAKMAN COMPANY.

Speakman Company I. P. S. Back Syphon Preventor,
sizes $\frac{1}{2}$ in., $\frac{3}{4}$ in., and 1 in. Approved under the pro-
visions of Sec. C26-1277.0h (14.8.2.8).
563-41-SM V. 26 No. 44 P. 1465

VAC-O-VENT COMPANY.

Vac-O-Vent for Plumbing Fixtures, Model B. Approved
under Section C26-1277.0.
477-39-SM V. 24 No. 24 P. 914

WATTS REGULATOR COMPANY.

Watts Vacuum Breaker, No. 88. Approved under Section
C26-1277.0. 346-39-SA V. 24 No. 21 P. 771
V. 24 No. 46 P. 1651

INDIANA BRASS CO.

Indiana Brass Company Anti-Syphon Float Valve, No. 88.
Approved under Section C26-1277.0.
837-40-SM V. 25 No. 49 P. 1635

RITTER DENTAL MFG. COMPANY.

Ritter Model C Dental Cuspidor. Approved under Sec-
tion C26-1277.0. 190-40-SM V. 25 No. 15 P. 529

WEBER DENTAL MFG. COMPANY.

Weber Vacuum Breaker for Dental Cuspidors. Approved
under Section C26-1277.0.
413-40-SM V. 25 No. 28 P. 102

Weber Vacuum Breaker for Dental Cuspidors—improved
model. Approved. 413-40-SM V. 26 No. 30 P. 114

S. S. WHITE DENTAL MFG. CO.

S. S. White Master Dental Unit. Approved under Sec-
tion C26-1277.0h (14.8.2.8) as an anti-siphon device.
1354-39-SA V. 25 No. 9 P. 30

S. S. White Non-Siphoning Cuspidor No. 7. Approve
under Section C26-1277.0.
366-40-SM V. 25 No. 21 P. 73

NOTICE

WARNING

Notice is hereby given to all appellants and applicants,
and to all lawyers, architects and engineers representing
owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by rep-
resentative at the hearing of their case, dismissal for lack
of prosecution is likely to result.

Second, That due and ample notice of the date set for
hearing is provided in the publication in this BULLETIN of
the calendars of the Board, each case being set down by
Calendar Number and the premises under the date of the
hearing.

Third, That no plea of ignorance of the date of the
hearing can be entertained in view of this publication and
of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the
calendars in the daily press.

Fourth, That no one is entitled to written notice of the
date for the hearing in his case, and that the plea of failure
to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all
cases promptly; therefore, no appeal or application will
be held in abeyance by reason of failure of the appellant
or applicant to file necessary data, or by any other method
of delay.

Sixth, That no appeal or application will be accepted for
filing unless, at the time of filing, all papers, plans and data
required by law are supplied, as specified on the blank
appeal or application forms.

THE BUILDING LAWS

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THE VARIOUS BUILDING LAWS OF THE CITY OF NEW YORK ARE NOW published in FOUR SE-
ARATE VOLUMES, consisting of matters affecting or relating to the construction, maintenance, alteration, demoliti-
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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Minutes of Regular Meeting November 10, 1942, at 2 P. M., Affecting Calendar Numbers 641-30-BZ, 527-37-BZ, 342-40-BZ, 1-42-BZ, 265-40-BZ, 475-40-BZ, 354-32-BZ, 362-34-BZ, 460-37-BZ, 66-38-BZ, 216-41-BZ, 1024-41-BZ, 581-41-A, 252-42-A, 299-42-A, 561-42-A, 624-42-S, 641-42-S, 680-42-S, 707-42-A, 994-40-A, 255-42-S, 855-41-SM, 424-42-SM and 473-42-SA.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET

New Cases Filed up to November 10, 1942.

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772-42-BZ—H.B.R.—2053 Clove road, northeast corner of Mosel avenue (Block No. 2921, Lot No. 18), Grasmere, Borough of Richmond, N. B. 565-42, Amendment.

773-42-S—H.B.M.—148-152 West 37th street, south side, 75 ft. east of Seventh avenue (Block No. 812, Lot No. 69), Borough of Manhattan, B. N. 3186-42.

774-42-A—H.B.Q.—148-02 to 148-16 147th avenue, south side, from 148th to 149th streets (Block No. 4233, Lot No. 1), South Jamaica, Borough of Queens, Alt. 1636-42.

775-42-A—H.B.Q.—109-15 14th avenue, north side, 200 ft. west of 111th street (Block No. 4031, Lot Nos. 1 and 25), College Point, Borough of Queens, Alt. 242-42.

776-42-A—H.B.B.—821-827 Bergen street, north side, 350 ft. west of Classon avenue and 890-902 Dean street (Block No. 1141, part of Lot No. 28), Borough of Brooklyn, Alt. 2895-42.

777-42-A—H.B.Bx.—1409 Sedgwick avenue, west side, 125 ft. south of West 171st street (Block No. 2541, part of Lot No. 45), Borough of The Bronx, Sprinkler Applic. 38-42.

778-42-A—F.D.—280 Boerum street, south side, 125 ft. west of White street (Block No. 3082, Lot No. 44), Borough of Brooklyn, 93189-L. C.

779-42-A—H.B.B.—3302 Fillmore avenue, southeast corner of East 33rd street (Block No. 8500, Lot No. 40), Borough of Brooklyn, B. N. 2706-42.

780-42-A—F.D.—755 East 134th street, north side, 100 ft. west of Willow avenue and 147 Willow avenue (Block No. 2563, Lot No. 45), Borough of The Bronx, 14950-L. F., 32485-L. C.

781-42-SA—Derby Type B, Electrically Operated Remote Control Valve for Standpipe and Sprinkler Systems, Appliance.

782-42-A—F.D.—203-269 37th street, north side, 100 ft. west of Third avenue (Block No. 695, Lot No. 1); (Building No. 1), 202-276 36th street, south side, 100 ft. west of Third avenue (Block No. 695, Lot No. 1); (Building No. 2), 201-271 36th street, north side, 100 ft. west of Third avenue (Block No. 691, Lot No. 1); (Building No. 3), 202-284 35th street, southwest corner of Third avenue (Block No. 691, Lot No. 1); (Building No. 4), 17-97 35th street, northwest corner of Third avenue (Block No. 687, Lot No. 1); (Building No. 5), 18-96 34th street, southwest corner of Third avenue (Block No. 687, Lot No. 1); (Building No. 6), 17-97 34th street, northwest corner of Third avenue (Block No. 683, Lot No. 1); (Building No. 7), 18-98 33rd street, southwest corner of Third avenue (Block No. 683,

Lot No. 1); (Building No. 8), 21-99 33rd street, north side, 125 ft. west of Third avenue (Block No. 679, Lot No. 1); (Building No. 9), 872-890 Third avenue, northwest corner of 33rd street (Block No. 679, Lot No. 1); (Building No. 10), 146-168 39th street, southwest corner of Second avenue (Block No. 706, Lot No. 1); (Building No. 19), 131-183 41st street, northwest corner of Second avenue (Block No. 711, Lot No. 1); (Building No. 20), 52-94 39th street, southwest corner of First avenue (Block No. 706, Lot No. 24); (Building No. 22), 52-94 39th street, south side, 150 ft. west of First avenue (Block No. 706, Lot No. 24); (Building No. 23), 52-94 39th street, south side, 24 ft. west of First avenue (Block No. 706, Lot No. 24); (Building No. 24), 4002-4024 First avenue, northwest corner of 41st street (Block No. 710, Lot No. 1); (Building No. 26), Borough of Brooklyn, 9606-L. F.

783-42-A—F.D.—Packaging of Inflammable Mixture known as "Fly-Spray" in Glass Bottles (Capacity of bottle not in conformity with Administrative Code Specifications), Decision.

784-42-A—H.B.B.—59 South Ninth street, northeast corner of Wythe avenue (Block No. 2136, Lot No. 1), Borough of Brooklyn, Alt. 101-42.

785-42-A—F.D.—23-10 43rd avenue, southeast corner of 23rd street (Block No. 436, Lot No. 20), Long Island City, Borough of Queens, 9038-L. F. and Decisions.

786-42-BZ—H.B.R.—8 Crabtree avenue, southwest corner of Bloomingdale road (Block No. 7092, Lot No. 61), Rossville, Borough of Richmond, Alt. 142-42.

787-42-BZ—H.B.Q.—117-05 122nd street, east side, 100 ft. south of Rockaway boulevard (Block No. 11715, Lot No. 36), Ozone Park, Borough of Queens, Alt. 1255-42.

788-42-BZ—H.B.Q.—43-01 104th street, southeast corner of 43rd avenue (Block No. 1987, Lot No. 75), Corona, Borough of Queens, Misc. 3725-42.

789-42-A—F.D.—300-306 East 145th street, southwest corner of College avenue (Block No. 2325, Lot No. 14), Borough of The Bronx, 30362-L. C., 31786-L. C. and Decisions.

790-42-SM—Rocklath and Diamond Liner (Plastic board), manufactured by U. S. Gypsum Company, Material.

791-42-A—H.B.M.—165 West 71st street, north side, 130 ft. 5 in. east of Broadway (Block No. 1143, Lot No. 7½), Borough of Manhattan, Alt. 946-42, Amendment.

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641-30-BZ—H.B.Q.—207-02 to 207-06 Hillside avenue, southeast corner of 207th street (Block No. 10582, Lot No. 1 and 3), Bellaire, Borough of Queens, Misc. 328-42.

CALENDAR

2-42-A—F.D.—296-302 Seventh street, south side, 214 4½ in. west of Fifth avenue (Block No. 998, Lot Nos. 28 and 26), Borough of Brooklyn, 9675-L, F.

2-40-BZ—H.B.Q.—42-02 31st avenue, southeast corner 42nd street and 31-15 42nd street, east side, 97.5 ft. south 31st avenue (Block 692, Lot Nos. 36, 37, 40 and part Lot No. 51), Misc. 5085-42.

SIGNATIONS: H.B.—Department of Housing and Buildings, B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.—Fire Department.

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Sodium Dioxide Liquefier, Rules	Mar. 10, 1942—Vol. 27, No. 10	
Certificates of Occupancy, approved form	Nov. 25, 1941—Vol. 26, No. 47	
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28	
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June 24, 1941—Vol. 26, No. 28	
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31	
Evaporator Rules	Mar. 3, 1936—Vol. 21, No. 9	
Door Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24	
Emergency Exit Rules	Nov. 17, 1942—Vol. 27, No. 46	
Alarm Rules (Interior)	Apr. 7, 1942—Vol. 27, No. 14	
Drill Rules	Aug. 4, 1942—Vol. 27, No. 31	
Flameproof Materials, etc., Rules for Testing of	Apr. 28, 1942—Vol. 27, No. 17	
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Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3	
Welding and Gas Cutting Rules	May 20, 1941—Vol. 26, No. 20	
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Painting Rules	Aug. 3, 1937—Vol. 22, No. 31	
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Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36	
Refrigerating Systems, Extract A.C.	Aug. 26, 1941—Vol. 26, No. 34	
Working in Factories, Rules for	Oct. 13, 1942—Vol. 27, No. 41	
Fire Sprinkler Rules	June 29, 1937—Vol. 22, No. 26	
Fireline Rules	June 8, 1937—Vol. 22, No. 23	
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23	
Fire Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47	
Fire Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47	
Fire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15	

LIST OF APPROVED APPLIANCES

Line Siphon Valves	Nov. 25, 1941—Vol. 26, No. 47A
Line Hose Valves	Nov. 25, 1941—Vol. 26, No. 47A
Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47A
Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 47A
Oil Burners for Industrial Use	Nov. 25, 1941—Vol. 26, No. 47A
Oil Pumps	Nov. 25, 1941—Vol. 26, No. 47A
Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Paint, Varnish and Lacquer Spraying Equipment	Nov. 25, 1941—Vol. 26, No. 47A
Gas Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Automatic Breakers	Nov. 10, 1942—Vol. 27, No. 45

NOVEMBER 17, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, Tuesday morning, November 17,

1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

539-42-BZ—Application, July 6, 1942, under section 7h of the zoning resolution, of Edwin H. Thatcher, applicant on behalf of Polytechnic Institute of Brooklyn, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 244-266 Fourth street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-299 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

607-42-BZ—Application, August 5, 1942, under section 7h of the zoning resolution, of J. M. Berlinger, applicant, on behalf of Janetta Whitridge, Mary Whitehouse and Harriet Aldrich, owners, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan.

651-42-BZ—Application, September 2, 1942, under section 7c of the zoning resolution, of John J. Morro, applicant, on behalf of Paragon Oil Company, Incorporated, owner, to permit in a residence use district, the extension of a gasoline service station; premises 2458-2470 Cropsey avenue, northwest corner of Bay 38th street (unopened); (Block No. 6928, Lot No. 50), Borough of Brooklyn.

610-42-BZ—Application, August 6, 1942, under sections 7h and 21 of the zoning resolution, of Mac L. Reiser, applicant, on behalf of Mary Oginsky and Philip Oginsky, owners (Martha Kozak, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 336-338 (340 displayed) New Jersey avenue, west side, 125 ft. north of Belmont avenue (Block No. 3738, Lot Nos. 30 and 31), Borough of Brooklyn.

95-40-BZ—Application of Samuel Rosenblum, applicant, on behalf of 40 Central Park South, Incorporated, owner, reopened November 18, 1941, under section 7h of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 41 West 58th street, north side, 120 ft. east of Sixth avenue (Block No. 1274, Lot No. 6), Borough of Manhattan.

215-42-BZ—Application, March 18, 1942, under section 7h of the zoning resolution, of John C. Wandell, applicant, on behalf of Society of St. Vincent De Paul, owner (Arthur Stevenson, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 8101-8111 Third avenue and 302-318 81st street, southeast corner (Block No. 5997, Lot Nos. 7 and 11), Borough of Brooklyn.

256-42-BZ—Application, March 27, 1942, under section 21 of the zoning resolution, of Jack Z. Cohen, applicant, on behalf of Handalsons Realty Corporation, owner, to permit in a residence use and also G area district, the conversion of occupancy of a one family dwelling to a two (2) family dwelling; premises 665 East 17th street, east side, 156 ft. 7½ in. south of Foster avenue (Block No. 5238, Lot No. 31), Borough of Brooklyn.

987-41-BZ—Application, November 14, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station; premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

Appeal from Administrative Decision.

792-42-A—796-804 Utica avenue and 736-746 Linden boulevard, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn, Misc. 8575-41.

HARRIS H. MURDOCK, *Chairman.*

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NOVEMBER 17, 1942, 2 P. M.

Appeals from Administrative Decisions.

752-42-A—48-12 Grand avenue, south side, 41.1 ft. west of 49th street (Block No. 2612, part of Lot Nos. 1, 28 and 37), Maspeth, Borough of Queens (under section 35, General City Law re bed of mapped street—49th street and 50th street).

484-42-S—32-36 to 32-46 47th avenue, south side, from 32nd place to 33rd street (Block No. 252, Lot Nos. 1 and 17), Long Island City, Borough of Queens.

696-42-A—48-01 to 50-21 Metropolitan avenue, northwest corner of Flushing avenue (Block No. 2611, Lot No. 165, Block No. 2624, Lot No. 54, Block No. 2623, Lot No. 49 and Block No. 2625, Lot No. 25), Maspeth, Borough of Queens.

744-42-A—71 Taaffe place, east side, 132 ft. 11 in. north of Park avenue (Block No. 1883, Lot No. 7), Borough of Brooklyn.

643-42-A—Foot of Conover street, 20 ft. west of Reid street (Block No. 595, Lot No. None), Pier No. 44, East River, Borough of Brooklyn, 8857-L. F. and Decision.

775-42-A—109-15 14th avenue, north side, 200 ft. west of 111th street (Block No. 4031, Lot Nos. 1 and 25), College Point, Borough of Queens.

Appliance and Materials for Approval.

367-42-SA—Holland Gun Type Oil Burner, Models H-4, S1-4, M-4, and L-4.

800-39-SM—U. S. Gypsum Co. Gypsum Plaster, Red Top and Samson Brands.

289-41-SM—Monarch Hydrated Finishing Lime, Monarch Masons Lime, Monarch Brick Mortar.

NOVEMBER 24, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, November 24, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

107-42-BZ—Application, February 5, 1942, under section 7c of the zoning resolution, of John F. Payne, applicant on behalf of Socony-Vacuum Oil Company, Incorporated, owner, to permit in a business use district, the erection of an accessory building upon a plot now occupied as a gasoline service station; the vehicular entrance to the gasoline service station is located within 200 ft. of an entrance to a public playground; premises 401-413 Dahill road and 2-12 Cortelyou road, southeast corner (Block No. 5384, Lot No. 1), Borough of Brooklyn.

127-35-BZ—Application of Jack Z. Cohen, applicant on behalf of Joseph Angelone, owner, reopened June 30, 1942, under section 7f of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and also, the erection and maintenance of garages for four (4) motor vehicles; premises 115-119 Truxton street, north side, 142 ft. 9¾ in. west of Conway street (Block No. 1544, Lot Nos. 42 and 44), Borough of Brooklyn.

926-28-BZ—Application of Joseph B. Lynch, applicant on behalf of The Texas Company, owner, reopened December 16, 1941, under section 7c of the zoning resolution, to permit in a residence use district the extension of an accessory building (for lubricatory use) and also, the rearrangement of

pumps on an existing gasoline service station, which was previously acted upon by the Board; premises 2633-26 Ocean avenue and 2002 Avenue V, southeast corner (Block No. 7381, Lot No. 1), Borough of Brooklyn.

58-30-BZ—Application of Charles M. Spindler, applicant on behalf of Lillian Kaplan, owner, reopened July 23, 1942, under sections 7c and 7f of the zoning resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the Board) and also, for term of years, the parking and storage of more than five (5) motor vehicles; premises 73-13 to 73-21 Cooper avenue and 71-34 to 71-38 73rd place, northwest corner (Block No. 3691, Lot No. 19), Glendale, Borough of Queens.

676-42-BZ—Application, September 17, 1942, under section 7c of the zoning resolution, of Frank Straub, applicant on behalf of Monte Realty Company, Incorporated, owner, to permit in a residence use district, the alteration and conversion of occupancy of a four (4) story building, erected as a stable, to store, showroom, offices and light manufacturing premises 357 West 17th street, north side, 100 ft. east Ninth avenue (Block No. 741, Lot No. 5), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 24, 1942, 2 P. M.

Appeals from Administrative Decisions.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-30), Borough of Brooklyn.

584-41-A—121 Bay 23rd street, east side, 100½ ft. south of Benson avenue (Block No. 6408, Lot No. 16), Borough of Brooklyn.

Appliances and Material for Approval.

191-42-SA—E. S. Type S. Elevator Interlocking Device Hatchway Unit System.

192-42-SA—E. S. Positive Barlock (Type B) Elevator Interlocking Device Hoistway Unit System.

489-42-SM—Tomkins Cove Crushed Limestone (Concrete Aggregate).

DECEMBER 1, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, December 1, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

363-42-BZ—Application, May 5, 1942, under sections 7c and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adey, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 24, 27, 29, 31 and 33), Borough of The Bronx.

577-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant on behalf of Crew Levick Corporation, owner (Joseph Johnston, lessee), to permit partly in a business use district and partly in a residence use district, the extension of an existing gasoline service station for parking of more than

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(5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

119-42-BZ—Application, February 10, 1942, under section 21 of the zoning resolution of Goldenthal Brothers, applicant on behalf of Peter Anselmi, owner, to permit in a business use district, the maintenance of eight (8) one-car garages; (two (2) for accessory use and six (6) to be rented to individuals not residing on the premises); premises 28-04 39th avenue, southeast corner of 28th street (Block No. 398, Lot No. 21), Long Island City, Borough of Queens.

708-38-BZ—Application of Lama and Proskauer, applicants on behalf of Patrick Carroll, owner, reopened June 16, 1942, under section 7c of the zoning resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles, on an existing gasoline service station (the gasoline service station was previously granted by the Board); premises 92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot Nos. 5 and 6), Elmhurst, Borough of Queens.

585-42-BZ—Application, July 21, 1942, under section 7c of the zoning resolution of John F. Payne, applicant on behalf of Socony-Vacuum Oil Co., Inc., owner, to permit in a business use district, the alteration and conversion of occupancy of an accessory building on an existing gasoline service station, from storeroom to car-washing and lubricatorium; premises 168 Richmond terrace and 1-7 Stuyvesant place, southerly intersection (Block No. 12, Lot No. 11), St. George, Borough of Richmond.

903-25-BZ—Application of Lama and Proskauer, applicants on behalf of Rose Rolland, owner, reopened November 5, 1941, under section 7f of the zoning resolution, to permit in a business use district, for a term of ten (10) years, the use of a two (2) story and basement building, as a garage for more than five (5) motor vehicles; the Board having previously granted a one (1) story garage for more than

five (5) motor vehicles on the premises in question; premises 823-829 Classon avenue, east side, 47 ft. north of Lincoln place (Block No. 1178, Lot No. 3), Borough of Brooklyn.

523-42-BZ—Application, June 29, 1942, under section 21 of the zoning resolution of Clifford L. Snyder, applicant and lessee, on behalf of The Fordham Methodist Episcopal Church, owner, to permit in a residence use district, the alteration and conversion of occupancy of part of an existing dwelling, to business use (Funeral Director's Office); premises 2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 1, 1942, 2 P. M.

Appeals from Administrative Decisions.

407-42-A—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

447-42-A—510 Dahill road, west side, 60 ft. south of 40th street (Block No. 5382, Lot No. 26), Borough of Brooklyn.

DECEMBER 4, 1942, 10:30 A. M.

Rules.

835-38-SR—Proposed Amendments to Rules Relative to Submerged Inlets and Protective Methods to be applied to prevent Contamination of Water Supply.

(For Copy of Proposed Amendments, see Bulletin of November 10, 1942, Vol. 27, No. 45.)

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, NOVEMBER 10, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

The minutes of the special meeting of the Board held on Friday morning, October 30, 1942, and the regular meetings of the Board held on Wednesday morning, November 4, 1942, and Wednesday afternoon, November 4, 1942, were approved as printed in Bulletin No. 45, Vol. 27.

ZONING CASES.

363-42-BZ.

APPLICANT—Henry Nordheim, for Estate of Jennie Adee, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7e and 21 of the zoning resolution, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim and George B. Fargis.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 1, 1942 at 10 A. M. on request of applicant and owner's attorney.

577-42-BZ.

APPLICANT—George H. Cohn, for Crew Levick Corporation, owner (Joseph E. Johnston, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: George H. Cohn and Lillian Taylor.
For Opposition: H. Henze and Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

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ACTION OF BOARD—Laid over to December 1, 1942 at 10 A. M., for inspection by a committee of the Board. No further argument.

617-42-BZ.

APPLICANT—John F. Payne, for Socony-Vacuum Oil Company, Incorporated, owner.

SUBJECT—Application (re decision of the acting borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a new accessory (lubritorium) building on an existing gasoline service station.

PREMISES AFFECTED—1979 East 177th street, northwest corner of Pugsley avenue (Block No. 3794, Lot No. 50), Borough of The Bronx.

APPEARANCES—

For Applicant: John F. Payne.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Placed on Reserve Calendar pending the filing of an appeal with this Board relative to a variation of Section 35 of the General City Law—re bid for mapped street. The premises are now on the City map for use as a public place and the report of the City Engineer of the Board of Estimate is before the Mayor for approval of authorization to acquire title.

651-42-BZ.

APPLICANT—John J. Morro, for Paragon Oil Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the extension of a gasoline service station.

PREMISES AFFECTED—2458-2470 Cropsey avenue, northwest corner of Bay 38th street (unopened); (Block No. 6928, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Polinsky and John J. Morro.

For Opposition: None.

For Administration: Fred Dahlem and Morris Hannes, Dep't of Housing and Buildings, and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Laid over to November 17, 1942 at 10 A. M. Applicant to file revised plans and for further consideration by the Board.

556-42-BZ.

APPLICANT—William C. Sommerfeld, for Richards Sales Corporation, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the maintenance of two (2) sets business (pawnbrokers) signs.

PREMISES AFFECTED—9 Columbus avenue, east side, 100 ft. 5 in. north of West 59th street (Block No. 1112, Lot No. 64), Borough of Manhattan.

APPEARANCES—

For Applicant: William C. Sommerfeld, Joseph F. Addonizio and Clarence Kaskel.

For Opposition: Albert C. Kelly.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (556-42-BZ)

WHEREAS, William C. Sommerfeld, for Richards Sales Corp., Inc., owner, filed July 13, 1942, an application under

section 21 of the zoning resolution, to permit in a business use district, the maintenance of two (2) sets of business (pawnbrokers) signs; premises 9 Columbus avenue, east side, 100 ft. 5 in. north of West 59th street (Block No. 1112, Lot No. 64), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 10, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Columbus avenue is in a business, unrestricted and retail use district; Ninth avenue is in a retail use district; West 59th street is in a business, retail and residence use district and West 60th street is in an unrestricted and business use district; and

WHEREAS, the decision of the borough superintendent, dated July 11, 1942, reads:

"This will reply to your letter of July 9, 1942, requesting dismissal of zoning Violation 17/1942, filed on premises 9 Columbus avenue, due to the fact that the signs in question existed before 1916 and were removed during the alteration to the front of the building.

Please be advised that these signs are contrary to Section 4, Subdivision 49, of the Building Zone Resolution and may not be replaced.

Your request for dismissal of this violation is therefore denied."

and

WHEREAS, the applicant states that the existing building is of fireproof construction; 25 ft. by 100 ft. in area, six (6) stories in height; that it is proposed to maintain, at the 3rd story, and also at the 5th story, levels of the existing store (pawnbroker) and storage building, two pawnbroker symbol signs, each consisting of three 14 in. diameter balls and supporting steel framework and that these symbols project about 7 ft. beyond the building line, instead of the permissible 18 in. beyond the building line; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed the applicant had established a basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the use district regulations of the zoning resolution and that the application be and it hereby is granted under section 21 thereof, to permit the continuation of the two signs in question, as indicated on plans and photographs filed with this application, on condition that no additional signs shall be erected that are not in compliance with the zoning resolution and other laws relative thereto; that such signs shall not extend beyond the building for a greater distance than shown and shall not be illuminated; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto and that such signs shall continue only so long as the building is occupied as proposed.

714-42-BZ.

APPLICANT—John E. Cahill, for Louis Grossman, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district and also a G area district, the erection and maintenance of a vestibule (to an existing dwelling) which extends into a front yard required by the zoning resolution.

PREMISES AFFECTED—108-26 66th road, south side, 220 ft. east of 108th street (Block No. 5175, Lot No. 18), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: John E. Cahill.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition

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THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (714-42-BZ)

WHEREAS, Jolin E. Cahill, for Louis Grossman, owner, filed September 30, 1942, an application under section 21 of the zoning resolution, to permit in a residence use and also "G" area district, the erection and maintenance of a vestibule (to an existing dwelling) which extends into a front yard required by the zoning resolution; premises: 108-26 56th road, south side, 220 ft. east of 108th street (Block No. 5175, Lot No. 18), Forest Hills, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 10, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use and area district maps accompanying the zoning resolution show that 66th road and 67th avenue are in a residence use and "G" area district and 108th street is in a residence use and also "G" and "D" area district; and

WHEREAS, the decision of the borough superintendent on Misc. Applic. No. 4587-42, dated August 31, 1942, reads:

"3. Extending a proposed vestibule into the required front yard in a 'G' zone area, is contrary to Art. IV, Sec. 16B, Building Zone Resolution."

WHEREAS, the applicant states that the existing building is of Class 4 construction, with a frontage of 26 ft. and a depth of 32 ft. and two and one-half (2½) stories in height, that it is proposed to erect a vestibule 9 ft. high and 10 ft. by 4 ft. 10 in. in area at the front of the existing one family dwelling and that the proposed vestibule encroaches on a distance of 4 ft. 10 in. into the required 20 ft. deep front yard; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed the applicant had established basis of appeal under section 21 of the zoning resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the area district regulations of the zoning resolution and that the application be and it hereby is granted on condition that the proposed vestibule shall not exceed one story in height, 5 feet in depth and 10 ft. in width; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto as applying to the construction of the building at the time of its erection prior to recent change of zoning and that no additions contrary to the present zoning requirements shall be permitted other than the proposed vestibule, as indicated on plans filed with this application; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

714-42-BZ.

APPLICANT—Lama and Proskauer, for Green Bus Lines, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in an undetermined use and also an F area district, the erection and maintenance of an extension to an existing garage for more than five (5) motor vehicles (buses); the said extension does not comply with the setback or with the area requirements of the zoning resolution.

PREMISES AFFECTED—148-02 to 148-18 147th avenue, south side, from 148th to 149th street (Block No. 4233, Lot No. 1), South Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and William Cooper.

For Opposition: James Garofolo.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (727-42-BZ)

WHEREAS, Lama and Proskauer, for Green Bus Lines, Inc., owner, filed October 7, 1942, an application under section 21 of the zoning resolution, to permit in an undetermined use and also an "F" area district, the erection and maintenance of an extension to an existing garage for more than five (5) motor vehicles (buses); the said extension does not comply with the setback or with the area requirements of the zone resolution; premises 148-02 to 148-18 147th avenue, south side, from 148th to 149th streets (Block No. 4233, Lot No. 1), South Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 10, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use and area district maps accompanying the zoning resolution show that 147th avenue is in an undetermined and residence use and also "F" area district; 150th avenue is in an undetermined use and "F" area district; and 148th and 149th streets are in an undetermined and residence use and also "F" area district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 1636-42, dated September 23, 1942, reads:

"1. No part of the building may be within 15 ft. of any of the building lines. (Sec. 16a—zoning law)

2. The area of the building exceeds that permitted a building located in an F district (sec. 16d)—zoning law."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 200 ft. on 147th avenue, 537 ft. on 148th street and 488 ft. on 149th street; that upon the northerly part there is located a one-story non-fireproof garage for more than five motor vehicles (buses); that it is proposed to extend the area of this garage by the addition of a one-story non-fireproof extension, approximately 249 ft. by 198 ft. in area; that the proposed extension is set back one (1) foot from the building lines instead of the required fifteen (15) feet and also, the area of the buildings as proposed to be extended, exceeds the permissible usable area as permitted in an "F" area district by approximately 26,700 sq. ft.; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that sufficient hardship had been shown by the applicant to justify the granting of a variation to permit excessive area of the building, in view of the property having been acquired for bus terminal purposes prior to the change of the zoning resolution as to area requirements in 1938, and in view of the tacit understanding at the time of such change that the extension of building as now proposed was to be constructed.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the area district regulations of the zoning resolution and that the application be and it hereby is granted under section 21, to permit the construction of the proposed extension to the existing bus garage, substantially as indicated on plans filed with this application, on condition that the building in all other respects shall comply with all laws, rules and regulations applicable thereto other than as may be modified by the Board under Cal. No. 774-42-A; that the building shall not be increased in height or area beyond the height shown; that no additional

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entrances or exits to 148th and 149th streets shall be constructed or maintained other than those shown on plans; that the space to the south indicated as rear yard, shall be maintained open and unbuilt upon and not occupied in any way as part of the garage; that such space shall be enclosed with a substantial fence and the area shall be maintained in a landscaped condition; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

Adjourned: 12:35 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, NOVEMBER 10, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy.

ZONING CASES.

641-30-BZ.

APPLICANT—Colonial Beacon Oil Company, lessee, for Henry and Albert Merkel, owners.

SUBJECT—Application for consideration—reopening on a new proposal—re Application (decision of the borough superintendent) under section 7f of the zoning resolution, permitting partly in a business use district and partly in a residence use district, the maintenance of a gasoline service station, for a temporary period.

PREMISES AFFECTED—207-02 to 207-06 Hillside avenue, southeast corner of 207th street (Block No. 10582, Lot Nos. 1 and 3), Bellaire, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

527-37-BZ.

APPLICANT—The Bank for Savings in the City of New York, owner.

SUBJECT—Application reopened September 17, 1940 re (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles (part of this plot was previously acted upon by the Board).

PREMISES AFFECTED—144-150 East 43rd street, south side, 100 ft. west of Third avenue and 670-676 Third avenue (Block Nos. 41, 43 and 45 and part of Lot Nos. 37, 38, 39 and 40) (rear of lots), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg.

ACTION OF BOARD—Application withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

342-40-BZ.

APPLICANT—Raymond Irrera, for Selvin Realty Company and Mollie Sprecher, owners (Orazio Amaro lessee).

SUBJECT—Application for consideration—reopening to rehear on a new proposal and a new decision—re Application (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit partly in a business use district and partly in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles (previously denied by the Board).

PREMISES AFFECTED—42-02 31st avenue, southeast corner of 42nd street and 31-15 42nd street, east side, 97.5 ft. south of 31st avenue (Block No. 692 Lot Nos. 36, 37, 40 and part of Lot No. 51), Astoria Borough of Queens.

APPEARANCES—

For Applicant: Raymond Irrera.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy

Negative:

1-42-BZ.

APPLICANT—Melvin C. Schwartz, for Interborough Leasing Corporation, owner.

SUBJECT—Application for consideration—reopening an amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—62-28 to 62-36 Junction boulevard, 93-26 to 93-56 62nd road, southwest corner and 98-19 to 98-27 62nd drive (Block No. 2078, Lot Nos. 29 and 37), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Requests to reopen, withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy

Negative:

265-40-BZ.

APPLICANT—Edward F. Cunningham, for Michalina Glowacki, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the creation and maintenance of a garage for four (4) motor vehicles (delivery trucks).

PREMISES AFFECTED—211-16 45th drive, south side, 100 ft. east of 211th street (Block No. 7315, Lot No. 9), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy

Negative:

THE RESOLUTION (265-40-BZ)

WHEREAS, Edward F. Cunningham, for Michalina Glowacki, owner, filed on March 8, 1940, an application with

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ie Board of Standards and Appeals from a decision of the
orough superintendent, under section 21 of the zoning reso-
ution, to permit in a residence use district, the erection and
aintenance of a garage for four (4) motor vehicles (de-
very trucks); affecting premises 211-16 45th drive, south
ide, 100 ft. east of 211th street (Block No. 7315, Lot No.
, Bayside, Borough of Queens;
WHEREAS, the applicant failed to complete the papers,
lthough duly notified to do so.
Resolved, that the application be and it hereby is dismissed
or lack of prosecution.

75-40-BZ.

APPLICANT—Rebecca Schneider, lessee, for Ruth Ber-
man, owner.

SUBJECT—Application (re decision of the acting borough
superintendent) under section 7h of the zoning reso-
lution, to permit in a retail use district for a tempo-
rary period of not more than two (2) years, the
parking and storage of more than five (5) motor
vehicles.

PREMISES AFFECTED—35-45 Rutgers street, east side,
22 ft. south of Madison street (Block No. 271, Lot
Nos. 26 and 27), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Hous-
ing and Buildings.

ACTION OF BOARD—Application dismissed for lack of
prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (475-40-BZ)

WHEREAS, Rebecca Schneider, lessee, for Ruth Berman,
owner, filed on May 7, 1940, an application with the Board
of Standards and Appeals from a decision of the acting
borough superintendent, under section 7-h of the zoning
resolution, to permit in a retail use district for a temporary
period of not more than two (2) years, the parking and
storage of more than five (5) motor vehicles; affecting
premises 35-45 Rutgers street, east side, 22 ft. south of
Madison street (Block No. 271, Lot Nos. 26 and 27), Bor-
ough of Manhattan; and

WHEREAS, the applicant failed to complete the papers,
lthough duly notified to do so.

Resolved, that the application be and it hereby is *dismissed*
for lack of prosecution.

354-32-BZ.

APPLICANT—Patioth Parking, Incorporated, for Dan-Irv
Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and
extension of permit—re Application (decision of
the borough superintendent) under section 7h of the
zoning resolution, permitting in a business use dis-
trict the maintenance of a parking space for a
temporary period.

PREMISES AFFECTED—598 Flatbush avenue, west side,
176 ft. 7¼ in. north of Chester Court (Block No.
5026, Lot No. 136), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank I. Tierney.

ACTION OF BOARD—Application reopened and permit
extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (354-32-BZ)

WHEREAS, this application, affecting premises 598 Flat-
bush avenue, west side, 176 ft. 7¼ in. north of Chester
court (Block No. 5026, Lot No. 136), Borough of Brook-
lyn, was granted by the Board November 4, 1932, for a
temporary period of two (2) years, on certain conditions,
resolution amended January 24, 1933, and December 8,
1936, and permit extended November 15, 1938 and November
19, 1940 and the applicant requested a further extension of
the permit.

Resolved, that the Board of Standards and Appeals does
hereby *amend* its resolution adopted on December 8, 1936,
only so far as it has reference to the term of the permit, so
that as amended, this portion of the resolution shall read:

"*granted* under section 7, subdivision h thereof, for a
temporary term of two (2) years from the date of this
amended resolution."

362-34-BZ.

APPLICANT—Samuel Surkin, for 1230 Jerome Avenue
Corporation, owner.

SUBJECT—Application for consideration—reopening and
extension of permit—re Application (decision of the
commissioner of buildings) previously granted on
condition, under section 21 of the zoning resolution,
for a period of two (2) years, permitting in a
business use district, the change of occupancy of an
existing building to a garage for more than five
(5) motor vehicles.

PREMISES AFFECTED—1230-1234 Jerome avenue, east
side, 165 ft. 6 in. north of East 167th street (Block
No. 2489, Lot No. 8), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Surkin.

ACTION OF BOARD—Application reopened and permit
extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (362-34-BZ)

WHEREAS, this application, to permit in a business use
district, under section 21 of the zoning resolution, the change
of occupancy of an existing building to a garage for more
than five (5) motor vehicles, premises 1230-1234 Jerome
avenue, east side, 165 ft. 6 in. north of East 167th street
(Block No. 2489, Lot No. 8), Borough of The Bronx, was
granted by the Board September 17, 1935, for a temporary
period of two (2) years on certain conditions, the resolu-
tion amended September 14, 1937 and permit extended No-
vember 19, 1940 and applicant requested a further extension
of the permit.

Resolved, that the Board of Standards and Appeals does
hereby *amend* the resolution of September 17, 1935 as
amended September 14, 1937 and November 19, 1940, only in
so far as it has reference to the term of the permit, so
that as amended, this portion of the resolution shall read:

"*granted* under sections 7F and 7I of the zoning reso-
lution for a term of two (2) years from the date of
this *amended* resolution, permitting the existing building
to be occupied as a non-storage garage for not over
fifteen (15) motor vehicles and permitting two brake
testing machines now installed to be continued *on con-*
dition that no motor vehicle repairing shall be carried
on other than that involved in testing and adjusting of
brakes and *granted* only so long as the requirements of
this resolution are maintained."

460-37-BZ.

APPLICANT—Parking Deck Incorporated of New York
City, for Lexington avenue and 59th street Corpo-
ration, owner.

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SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—731-733 Lexington avenue and 141-155 East 58th street, north side, 95 ft. east of Lexington avenue (Block No. 1313, Lot No. 53), Borough of Manhattan.

APPEARANCES—

For Applicant: E. Philip Finn.

For Opposition: Benjamin Gollav.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (460-37-BZ)

WHEREAS, MacMurray Holding Corporation, for Lexington Avenue and 59th Street Corporation, owner, filed September 27, 1937, an application under section 7h of the zoning resolution, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 141-155 East 58th street, north side, 95 ft. east of Lexington avenue, and 731-733 Lexington avenue (Block No. 1313, Lot No. 53), Borough of Manhattan; and

WHEREAS, this application was granted by the Board July 19, 1938, for a temporary period of two (2) years, on certain conditions, permit extended May 7, 1940 and applicant requested a further extension of the temporary permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of July 19, 1938, as amended May 7, 1940, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"Granted under section 7h for a term of two (2) years from the date of this amended resolution, to permit * * *"

66-38-BZ.

APPLICANT—William Sharv, for Board of Transportation, City of New York, owner (Abraham and Samuel Goldenblum, lessees).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting for a term of two (2) years, in a business use district, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—340-354 Sixth avenue, east side, from West 4th street to Washington place, 151 West 4th street and 88-90 Washington place (Block No. 552, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Goldenblum and Edward G. Steinert.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (66-38-BZ)

WHEREAS, this application, under section 7h of the zoning resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles, premises 340-354

Sixth avenue, east side, from West 4th street to Washington place, 151 West 4th street and 88-90 Washington place (Block No. 552, Lot No. 1), Borough of Manhattan, was granted by the Board November 9, 1938, on certain conditions, permit extended November 6, 1940 and the applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of November 9, 1938, as amended November 6, 1940, only so far as it has reference to the term of permit, so that as amended, this portion of the resolution shall read:

"granted for a term of two (2) years from the date of this amended resolution."

216-41-BZ.

APPLICANT—Benny Brandfondrener, lessee, for Lawyers Trust Company, as trustee u/w of W. J. M. Donovan, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting partly in an unrestricted use district and partly in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—55 West 169th street and 1294-1302 Boscobel avenue, northeast corner (Block No. 2871, Lot Nos. 61 and 65), Borough of The Bronx.

APPEARANCES—

For Applicant: Benny Brandfondrener.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (216-41-BZ)

WHEREAS, Abraham N. Horwitz, for Lawyers Trust Company, as trustee u/w W. J. M. Donovan, owner, filed March 17, 1941, an application under section 7h of the zoning resolution, to permit partly in an unrestricted use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 55 West 169th street and 1294-1302 Boscobel avenue, northeast corner (Block No. 2871, Lot Nos. 61 and 65), Borough of The Bronx; and

WHEREAS, this application was granted by the Board on October 21, 1941, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of October 21, 1941, only in so far as it has reference to the fence, so that as amended, this portion of the resolution shall read:

"that on the interior and street building lines, there shall be erected a substantial woven wire or picket fence not less than 5 ft. in height; that such fence may be constructed by using the existing posts and rails if in substantial condition and applying thereto wood pickets to the required height; that such fence shall be kept painted at all times."

1024-41-BZ.

APPLICANT—Gabriel Nathan, for Minnie Weinstein, owner.

SUBJECT—Application for consideration—reopening, extension of time to complete and amendment of resolution—re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a residence use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

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PREMISES AFFECTED—121-131 Beach 30th street, west side, 130 ft. south of Lewmay road (Block No. 302, Lot No. 42), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Max Koerner.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (1024-41-BZ)

WHEREAS, Gabriel Nathan, for Minnie Weinstein, owner, filed November 27, 1941, an application under section 7h of the zoning resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 121-131 Beach 30th street, west side, 130 ft. south of Lewmay road (Block No. 302, Lot No. 42), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on April 14, 1942, on certain conditions and applicant requested an amendment of the resolution and extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 14, 1942, in so far as it has reference to the type of fence required and the time to complete the work involved in the resolution, so that as amended, this portion of the resolution shall read:

"that there shall be erected a woven wire fence or a fence with wood posts and three rails of substantial wood construction not less than 4 ft. 6 in. in height continuously on the interior lot lines and along the street building line of Beach 30th street, except for entrance toward the center not over 15 ft. in width, with curb cut opposite of similar width and that all permits shall be obtained and all work completed within six (6) months from the date of this *amended* resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

584-41-A.

APPLICANT—Seymour C. Simon, for Saul Leeman, owner.

SUBJECT—Appeal reopened September 9, 1942—re Appeal from a decision of the borough superintendent; previously denied.

PREMISES AFFECTED—121 Bay 23rd street, east side, 100½ ft. south of Benson avenue (Block No. 6408, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Seymour C. Simon and Benjamin Leeman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 24, 1942 at 2 P. M. pending an inspection by a committee of the Board.

252-42-A.

APPLICANT—Arnold W. Lederer, for Pauline C. Heberlein, owner.

SUBJECT—Application for consideration—reopening, restoration to calendar on a new decision—re Appeal from an order and a decision of the fire commissioner; previously withdrawn, after argument.

PREMISES AFFECTED—296-302 7th street, south side, 214 ft. 4 in. west of Fifth avenue (Block No. 998, Lot Nos. 29, 28 and 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

ACTION OF BOARD—Appeal reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

299-42-A.

APPLICANT—Sidney L. Strauss, for B. F. Keith Corporation, owner (The Linder Dental Laboratory, lessee).

SUBJECT—Appeal from an order of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (299-42-A)

WHEREAS, Sidney L. Strauss, for B. F. Keith Corporation, owners (The Linder Dental Laboratory, lessee), filed April 6, 1942, an appeal from an order of the fire commissioner and a decision of the borough superintendent, affecting premises 1-7 DeKalb avenue, 224-228 Prince street, north side of DeKalb avenue, between Gold, Fleet and Prince streets (Block No. 2078, Lot No. 1), Borough of Brooklyn; and

WHEREAS, Order No. 90730-LC of the fire commissioner, dated March 7, 1942, reads:

"You are hereby notified that an inspection of the above premises used to store oxygen, acetylene, etc., shows that the following must be done before the permit requested by you can be issued:

1. Discontinue the use of oxygen acetylene welding until a certificate of occupancy has been secured from the Department of Housing and Buildings for use of premises as factory purposes. C26-184, Administrative Code."

and

WHEREAS, said appeal was amended to include decision of the borough superintendent, dated May 7, 1942, on B. N. No. 1041-42, which reads:

"1. Proposed occupancy in a building occupied partly for theatre purposes is contrary to C26-717.0 (12-1-3) of the Code.

3. 120 lbs. per sq. in. live load required for this occupancy."

and

WHEREAS, the applicant states the building is 7 stories (90 ft.) in height; 63 ft. 8 in. by 311 ft. 7 in., 215 ft. 6 in. and 132 ft. 6 in. irregular in area; of Class 1 construction; erected 1924; located in a business use district, equipped with a sprinkler system in the stage portion of the theatre only, and occupied throughout for stores, offices and theatre and proposed to be occupied throughout for same use except that the fifth floor will be used for offices and dental laboratory; and

WHEREAS, the applicant contends that the Fire Department Order is issued due to the fact that one tank of oxygen and one tank of acetylene are being used for welding purposes in the dental laboratory on the fifth floor; that the effect of the order of the Fire Department is to require that a certificate of occupancy be obtained for factory purposes; that an application was made to the Department of Housing and Buildings for a certificate of occupancy for a dental laboratory on the fifth floor and

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the decision of the borough superintendent herein appealed was issued; that the Fire Department, although technically correct, and the borough superintendent analyzed the proposed use as a factory, the work usually done in a dental laboratory should not be classified as a factory in the full sense, especially where the work of welding as in this case is only incidental to the work of the dental laboratory; that for these reasons, it is requested that the Board grant a modification of the requirements of the Building Code, to permit the use of dental laboratory to remain; and

WHEREAS, report of the Borough Superintendent indicated that general dental laboratories (classified as factories) in addition to the one involved herein are now occupying space on the fifth floor of this building without certificate of occupancy therefor.

Resolved, that the order of the fire commissioner, Order No. 90730-LC, and the decision of the borough superintendent, on B. N. No. 1041-42, be and they hereby are affirmed and that the appeal be and it hereby is denied.

561-42-A.

APPLICANT—Anthony J. Yaconetti, for Jennie Pica, adjoining property owner.

OWNER OF PREMISES—Margaret Hoffman.

SUBJECT—Appeal from a decision of the borough superintendent re Revocation of Alt. Applic. No. 367-42.

PREMISES AFFECTED—4555 Third avenue and 539-545 East 184th street, northwest corner (Block No. 3052, Lot No. 37), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony J. Yaconetti.

For Opposition: Edward J. Stara, Ralph Scocozza and Mr. Hoffman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (561-42-A)

WHEREAS, Anthony J. Yaconetti, for Jennie Pica, adjoining owner, filed on July 14, 1942, an application for revocation of the approval by the borough superintendent of Alt. Applic. 367-42, premises 4555 Third avenue and 539-545 East 184th street, northwest corner (Block No. 3052, Lot No. 37), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated July 8, 1942, on Alt. Applic. 367-42 reads:

"Receipt is acknowledged of your letter of even date requesting the revocation of the approval of Alteration Application 367-1942 which was issued by this Department to permit the alteration of part of the first floor of the subject premises from stores to Funeral Parlor.

This application was approved on the condition that no Church Services will be held and the premises is arranged merely for relatives and friends to view the deceased and that at no time would there be more than thirty-five (35) persons assembled in the place. Moreover this Department has ruled in previous cases that a Funeral Parlor of this size is a business and not a public use, such a ruling has received the tacit approval of the Board of Standards and Appeals Cal. No. 149-42-A.

For these reasons your request that the approval issued by this Department of Alteration Application 367-1942 on July 3, 1942 be revoked is hereby denied."

and

WHEREAS, the applicant states that the building is 3 stories and cellar (32 ft.) in height, 10 ft. by 99.01 ft. in area at 1st floor, 10 ft. by 56 ft. in area at typical floor; of Class 4 construction; located in an unrestricted district; erected in 1884 and used as follows: Cellar, storage and

boiler room; 1st floor, funeral parlor and store; 2nd and 3rd floors, dwellings; and

WHEREAS, the applicant contends that the proposed alteration is for the extension of the funeral parlor, which is at present being conducted in the frame structure located at 4555 Third avenue; that the approval of Alt. Applic. 367-42 should be revoked, on the ground that it is a violation of section 4.2.1 of the Building Code, in that it permits the use of a frame building for a funeral parlor, which in this particular instance constitutes a public use which is contrary to the Code regulating such public uses; that the funeral parlor in question has been used and it is logical to assume it will be used in the future as a meeting place for friends and relatives of deceased persons amounting to 100 persons, as attested to by copies of affidavits submitted with this appeal; and

WHEREAS, this appeal was the subject of a report of a committee of the Board, which report reads:

REPORT OF COMMITTEE.

November 5, 1942.

Re: Cal. No. 561-42-A.

Premises 4555 Third avenue and 539-545 East 184th street, northwest corner, Bronx.

This is an appeal by a neighboring property owner for a revocation of approved Alteration Application No. 367-1942.

It is claimed that the approval and permit were illegally issued in that the proposed use as a funeral home or as a funeral parlor or as a chapel, as variously termed in the application, on the plans and in the correspondence, cannot be lawfully permitted in a building of frame construction inasmuch as it is a place of public assembly.

The building at the corner of Third avenue and East 184th street, to which the premises in question are an extension, is a three-story frame building, erected in 1897 and altered in 1937 under Alteration Application #287-37. It is occupied on the first floor by an undertaking establishment with residential use above. The premises involved are proposed to be occupied as an extension to the undertaking establishment now on the first floor in the corner building. This extension to the corner building was erected under Alteration Plan #179B of 1903 as three stores, all of frame construction. The alteration now proposed is described as "proposed addition to funeral home". It is proposed to rearrange the three former stores into spaces shown on plan as Reception Room, Chapel, Ladies' Lounge and Men's Lounge, with an archway opening connecting with the present undertaking establishment in the corner building, described on plan as "Present Funeral Home". The existing three-story building and one-story extension is subject to a Certificate of Occupancy issued upon completion of Alteration Application #287-37, permitting 1st floor—stores; 2nd and 3rd floors—1 family each. Objection was raised by the Borough Superintendent that the "use of a frame building for public use is contrary to Section 4.2.1 of the Building Code". Upon request for "modification", the objection was repeated. Upon further request for "modification" and upon the representation that "at no time will there be more than 35 persons assembled", the plans and application were approved, relying on a variance of the Building Code provisions by this Board under Cal. No. 149 of 1942-A, affecting other premises. Permit #603 was then issued and the work shown on the plans completed.

In Cal. No. 149-42-A, the objection, properly made by the Borough Superintendent, read: "Change of occupancy from residence to business in a frame dwelling is contrary to Section 4.1.2." The building was proposed to be occupied as a "Funeral Home" and the variance granted by the Board for a business occupancy was based on conditions requiring substantial compliance with the Code for a business building within the

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fire limits. The question of public assembly was not raised as the use was apparently classified by the Borough Superintendent as a "business use" and not a "public use" as in the case under appeal. The Borough Superintendent in the present case overruled the Examiner and stated in letter of July 8, 1942, "this department has ruled in previous cases that a funeral parlor of this size is a business and not a public use, such a ruling has received the tacit approval of the Board of Standards and Appeals in Cal. No. 149-42-A". The Board confined itself properly to the decision appealed from. The question of public use was not raised and, accordingly, there can be no reliance on a supposition that the Board tacitly or otherwise passed on a question of use, which was not presented on the appeal. Further, in granting that variance, the Board stated in its resolution "that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto".

However, the Borough Superintendent has clearly set forth the basis of his ruling in letter of July 14th, reading in part: "Under the authority of Section C26-236.0, I deem the proposed use * * * as a commercial use and as such the change from store to funeral parlor does not constitute a change of classification."

Classified as a business use, the change from a store in a building erected prior to 1916 to an undertaking establishment would be legally permitted in such an existing building of frame construction. If classified as a public building, frame construction would not be permitted.

In the opinion of the Committee, the building should be classified as a public building, accessory to an undertaking establishment, within the provisions of C26-235, paragraph A (3.1.1). There appears to be no room to justify any other classification under paragraph C or under Section C26-236.0, under which the Borough Superintendent has approved the occupancy classified by him as a business use, provided "at no time would there be more than thirty-five persons assembled in the place". Arrangement of the premises, as well as affidavits filed, indicates that this condition, imposed by the Borough Superintendent, although without lawful justification, will not be observed.

The Committee accordingly recommends that the appeal to revoke Alteration Application #367 of 1942 be granted. Permit #603 of 1942 would automatically terminate upon revocation of the approved application, against which it was issued.

Upon a decision by the Borough Superintendent that the proposed occupancy is contrary to the Code, the owner may apply to this Board for a variance and such an appeal will be considered on its merits.

(Sgd.) HARRIS H. MURDOCK,
Chairman,
BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
FRANK MURPHY,
Deputy Fire Chief,
Committee.

WHEREAS, this report of Committee recommended the granting of this appeal and the revocation of approval of Alteration Application No. 367-42 and Permit 603-42.

Resolved, that the decision of the borough superintendent, Alt. Applic. No. 367-42, be and it hereby is *reversed* and appeal be and it hereby is *granted*, *revoking* approval of Alteration Application No. 367-1942 and Permit 603 of 1942.

641-42-S.

APPLICANT—Sidney L. Strauss, for B. F. Keith Corporation, owner (The Linder Dental Laboratory, lessee).

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—1-7 DeKalb avenue, north side, between Gold, Fleet and Prince streets and 224-228 Prince street (Block No. 2078, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4

THE RESOLUTION (624-42-S)

WHEREAS, Sidney L. Strauss, for B. F. Keith Corporation, owner (The Linder Dental Laboratory, lessee), filed August 17, 1942, an application for variation of the requirements of the Labor Law, as cited in a decision of the borough superintendent, affecting premises 1-7 DeKalb avenue, and 224-228 Prince street, north side DeKalb avenue, between Gold, Fleet and Prince streets (Block No. 2078, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated May 7, 1942, reads:

"2. Provide two means of exit as in Sec. 270 of the Labor Law."

and

WHEREAS, the applicant states that the building is 7 stories (90 ft.) in height, 63 ft. 8 in. by 311 ft. 7 in., 215 ft. 6 in. and 132 ft. 6 in. irregular in area; of Class 1 construction; erected 1924; located in a business use district, and occupied: Cellar, boiler room, and ordinary use; first floor, stores and theatre, 3185 seats; second to seventh floors, offices; that it is proposed to be occupied—cellar, first, second, third and fourth floors, same; fifth floor, proposed offices and dental laboratory; sixth and seventh floors, offices; that the building is equipped with one interior stair and one fire tower, leading from roof to street, of fireproof construction, 3 ft. 8 in. wide; equipped with fireproof self-closing doors; and

WHEREAS, the applicant contends that the building is fireproof and meets all requirements of the Code for a theatre and office building; that the proposed use of dental laboratory on the fifth floor has been classified by the Fire Department as a factory; that such classification is a technical classification and for this reason it is requested the Board grant a variation of the requirements of the Labor Law, so as to permit the building to be used for dental laboratory on the fifth floor; and

WHEREAS, report of the Borough Superintendent indicated that several dental laboratories (classified as factories) in addition to the one involved herein, are occupying space on the fifth floor of this building without certificate of occupancy therefor.

Resolved, that the decision of the borough superintendent, dated May 7, 1942, be and it hereby is *affirmed* and the appeal be and it hereby is *denied*.

641-42-S.

APPLICANT—Edmos Products Corporation, lessee, for Edward Moscovitz, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—13 Christopher avenue, east side, 103 ft. 2 in. south of East New York avenue (Block No. 3676, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jack L. Laurer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Thomas A. Larkin, Fire Dep't.

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ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (641-42-S)

WHEREAS, Edmos Products Corporation, lessee, for Edward Moscovitz, Inc., owner, filed on August 28, 1942, an application for variation of the requirements of the Labor Law, as cited in an order and decision of the fire commissioner, affecting premises 13 Christopher avenue, east side, 103 ft. 2 in. south of East New York avenue (Block No. 3676, Lot No. 5), Borough of Brooklyn; and

WHEREAS, Order No. 8398-LF, issued by the fire commissioner July 10, 1942, reads:

"You are hereby ordered and required, to:

1. Arrange iron bars on all windows on 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purpose of egress as per Section 272 of the Labor Law."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 17, 1942; and

WHEREAS, the applicant states the building is 1 story (14 ft.) in height; 80 ft. by 100 ft. in area; of Class 3 construction; located in an unrestricted use district and now occupied throughout as a machine shop, 50 persons; Certificate of Occupancy No. 5734, was issued February 24, 1925, for use of the building as factory and storage of rag waste; and

WHEREAS, the applicant states that 7 windows are affected by the order; that these windows are located on the 80 ft. front side of the building and that the means of egress consist of one 8 ft. by 14 ft. door on the front of the building facing Christopher avenue, one 6 ft. by 8 ft. door, leading from the office to Christopher avenue, one 8 ft. by 14 ft. door in the side wall leading to driveway and one 6 ft. by 8 ft. door in the side wall leading to the same driveway; and

WHEREAS, the applicant contends that the plant is engaged in 100% war production; that the Plant Protection Division of the New York Ordnance District of the War Department requested the installation of bars and screens on all windows; and

WHEREAS, the applicant has filed copy of communication received from the War Department directing that bars and screens on windows be retained to prevent entry or exit of unauthorized persons.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in an order of the fire commissioner on Order No. 8398-LF, Objection No. 1, and that the application be and it hereby is granted on condition that no windows or other openings shall be barred, except the windows as proposed facing Christopher avenue, as shown on plan filed with this application marked "Received October 30, 1942;" that all door openings shown to Christopher avenue and the side driveway shall be maintained openable during all working hours; that if any partitions are erected within the building, the same shall be in compliance with the law, and any doors therein shall be openable during all hours while the factory is in operation to provide free exit; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the variation herewith granted, shall continue only during the term of the present emergency.

680-42-S.

APPLICANT—Charles Pfizer and Company, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—176-190 Harrison avenue, west side, between Gerry street and Wallabout street,

344-356 Wallabout street and 39-57 Gerry street (Buildings 21 and 21b, 1st and 7th floors); (Block No. 2265, Lot Nos. 14, 32, 37, 38 and 39), Borough of Brooklyn.

APPEARANCES

For Applicant: Leonard W. Brown.

For Administration: Thomas A. Larkin, Fire Commissioner.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (680-42-S)

WHEREAS, Charles Pfizer and Company, Inc., owner, on September 16, 1942, an application for variation of requirements of the Labor Law, as cited in an order and decision of the fire commissioner, affecting premises 176-190 Harrison avenue, 344-356 Wallabout street, and 39-57 Gerry street (Buildings 21 and 21b, 1st and 7th floors) (Block 2265, Lot Nos. 14, 32, 37, 38 and 39), Borough of Brooklyn; and

WHEREAS, Order No. 9030-LF, issued by the fire commissioner July 6, 1942, reads:

- "3. Remove all partitions not built of incombustible material as per Sec. 263 and 270 of Labor Law."

and

"Replying to your letter of August 3rd we refer to advise that the fire commissioner is without authority to modify or hold in abeyance any orders issued under the provisions of the State Labor Law. The law is mandatory and modifications may be made by the Board of Standards and Appeals.

This would also refer to the Order for the alarm system and it will be necessary for you to install the alarm and arrange for a fire drill monthly until the occupancy is reduced so that there are not more than 25 persons employed above the ground floor.

and

WHEREAS, the applicant states that the building is 5 stories (85 ft.) in height; 211 ft. 5 in. on Gerry street, 148 ft. 3 3/4 in. on Wallabout street, with a depth of 10 ft. of Class 1 construction, located in an unrestricted district; erected 1926 and 1938, and occupied throughout for the processing of aqueous liquids, 4 persons on 1st floor, 3 persons on each of the second, third, fourth, and sixth stories, and 15 persons on the 7th floor; Certificate of Occupancy No. 37893, issued February 1926, permitted the use of 186 to 190 Harrison avenue southwest corner of Gerry street, for factory, and Certificate of Occupancy No. 85666, issued January 5, 1938, permitted the use of No. 344 to 356 Wallabout street, southwest corner of Harrison avenue, for manufacturing throughout 10 persons per floor; and

WHEREAS, the applicant contends that the partition question consist of the following: Building 21B, first floor partition of beaver board on wood studs, approximately 10 ft. in length, enclosing a tank room in which no employees are steadily employed; that this partition is of a temporary nature and it is contemplated when materials are available an additional tank will be installed to increase storage facilities, that in that event a partition of incombustible material will be installed; that there is also located on 1st floor a beaver board partition on wood studs, enclosing sides of a small room; that the total length of this partition is approximately 53 ft.; that this partition is of temporary nature, as the equipment which it encloses, is in the experimental stage and will be rearranged in the near future; both of these partitions are in a sprinklered area of the building; that in Building No. 21B, seventh floor, the one partition of Transite on wood studs, approximately 10 ft. in length, enclosing three sides of an experimental used for pilot plant experiments; that this is of a temporary nature and will be dismantled and removed when results are concluded; that in addition thereto on the same

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ere is located a partition of beaver board on wood studs closing three sides of a small room, used for storage of all chemical equipment and materials, this partition is 49 in length and is of temporary nature and will be removed when the experimental pilot plant room is removed; that in building No. 21, 7th floor, there is located an experimental pilot plant room consisting of two side walls of incombustible material and two end walls of studding and beaver board, having a total length of approximately 42 ft.; that the room is of a temporary nature and the partitions will be removed at the conclusion of the present research; that during development of chemical processes in the early stages, changes are continuously being made and equipment rearranged, thus necessitating the use of temporary construction; that inasmuch as materials are not readily available to comply with the law, it would be impractical to remove these temporary partitions at this time and in addition their removal would interfere with production; that a considerable portion of the company's production is being used for national Defense purposes and that the occupancy of the rooms enclosed by incombustible partitions, is very low. *Resolved*, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in an order of the fire commissioner, Order No. 9030-LF, Objection No. 3, and that the application be granted it hereby is *granted on condition* that the partitions as described shall be removed within two years and no other partitions constructed in the building that are not in accordance with the requirements therefor; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

7-42-A.

APPLICANT—John P. Riley of New York City Housing Authority, for United States Housing Authority, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—233 West 151st street and 220-234 West 152nd street, south side, 100 ft. east of Macombs place (Block No. 2037, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: John P. Riley and James Soma.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Insp. Maher, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (707-42-A)

WHEREAS, John P. Riley of New York City Housing Authority, for United States Housing Authority, owner, filed on September 28, 1942, an appeal from a decision of the fire commissioner affecting premises: 233 West 151st street and 220-234 West 152nd street, south side, 100 ft. east of Macombs place (Block No. 2037, Lot No. 11), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner dated September 10, 1942 reads:

"Inspectors of the division of Fire Prevention report hazardous conditions and this Department requires the following changes to be made in order to render safe the premises located at 233 West 151st street, 220-234 West 152nd street, Borough of Manhattan.

1. Install an adequate electric closed circuit interior fire alarm system of an approved type in accordance with the Interior Fire Alarm Rules of the Board of Standards and Appeals. Note: Plans and specifications in duplicate shall be filed with an approved by this Department prior to the installation of the fire alarm system. Sec. 487e-2.0-c-1, Adm. Code."

and

WHEREAS, the applicant states that the section of the building involved is 4 stories (36 ft.) in height, 158 ft. by 52 ft. in area, of class 1 construction, not connected to the balance of the building by wall openings, located in a residence and retail use district, erected in 1937 and occupied: cellar—storage, gardener's room, drying room; 1st floor—children's nursery—80 persons; 2nd, 3rd and 4th floors—class A multiple dwellings for which no Certificate of Occupancy has been issued; and

WHEREAS, the applicant contends that the nursery occupies the first floor of the portion of the building in question and comprises five classrooms of which four (play rooms #1 and #2, infant's room and nursery) have exits directly on outside court playground and street by means of double doors controlled by a lever handle, which operates the latch; that these four rooms also have exit facilities by doors through lobbies and corridors to two entrances on 152nd street; that the nursery room is provided with two doors, one of which communicates by way of lobby and corridor with the entrance on 152nd street, and the other by way of toilet and play room #1 with the outside court playground and street; that a secondary means of egress from the nursery room and all other class rooms in an emergency, is by outside windows, the sills of which are within easy access of street grade; that the nursery will be operated by the New York Kindergarten Association and will have an anticipated capacity of 75 children from 3 to 6 years of age; that the occupancy will be from Monday through Friday, from 9 A. M. to 12 Noon and from 1 P. M. to 3 P. M.; that all of the children will be in good health and able to walk and will be under the constant supervision of four trained teachers; that no purpose will be served in installing a fire alarm system, as the entire nursery school can be evacuated within a few minutes.

Resolved, that the decision of the fire commissioner, dated September 10, 1942, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises shall be maintained as proposed and shall not be extended in height or area, and at all times during school hours, shall be under the supervision of a sufficient number of trained attendants; that the exits from the classrooms and the communicating doors between classrooms shall be maintained; that the exterior doors shall be equipped with approved panic bolts with doors opening outwardly; that fire drills shall be periodically maintained; that a telephone, of the non-coin type, shall be installed on the premises at convenient central location, available at all times; that at such telephone, there shall be a sign posted recording the telephone number of Fire Headquarters and the location of the nearest outside fire alarm box; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct.

994-40-A.

APPLICANT—Lama and Proskauer, for Empire State Varnish Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from decisions of the borough superintendent; previously granted on condition.

PREMISES AFFECTED—34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 12, 13, 14, 15 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Insp. Jack Turk, Fire Dep't.

ACTION OF BOARD—Appeal reopened, resolution amended and permit extended.

THE VOTE TO REOPEN, AMEND RESOLUTION

AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

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THE RESOLUTION (994-40-A)

WHEREAS, this appeal from decisions of the borough superintendent, premises 34-40 Varick street, east side, 100 ft. 8½ in. south of Bridgewater street (Block No. 2664, Lot Nos. 12, 13, 14, 15 and 22), Borough of Brooklyn, was granted by the Board November 26, 1940, on certain conditions, permit extended December 2, 1941, and applicant requested an amendment of the resolution and a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted November 26, 1940, so that as *amended* the resolution shall read:

"*Resolved*, that the decisions of the borough superintendent, as to Alt. Applications No. 2221 to 2227-40, inclusive, Objections 1 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the occupancy of existing buildings for a term of one (1) year from the date of this *amended* resolution, *on condition* that the buildings shall not be increased in height or area; that the corrugated iron fence shall be maintained around the premises; that such portion of the buildings, as are deemed structurally weak by the borough superintendent, shall be made safe to his satisfaction; that such portable fire fighting appliances shall be maintained on the premises as the fire commissioner shall direct; that any tank used for mixing material in which inflammable material is involved shall have hinged covers equipped with fusible links; that any motor used in connection therewith shall be covered to the satisfaction of the fire commissioner to prevent explosion and shall be electrically grounded; that ventilation over such tank shall be furnished by fixed louver sky light in roof; that in all other respects, the buildings and premises shall be maintained to the satisfaction of the borough superintendent and the fire commissioner."

255-42-S.

APPLICANT—Oscar Goldschlag, for Silverberg and Trattner, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Variation of the labor law as cited in a decision of the borough superintendent; previously granted on condition.

PREMISES AFFECTED—358 East 145th street, south side, 91.41 ft. east of Third avenue (Block No. 2306, Lot No. 66), Borough of The Bronx.

APPEARANCES—

For Applicant: Oscar Goldschlag.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy 4
Negative: 0

THE RESOLUTION (255-42-S)

WHEREAS, Oscar Goldschlag for Silverberg and Trattner, Inc., owner, filed on March 27, 1942, an application for a variation of the requirements of the Labor Law as cited in a decision of the borough superintendent; premises 358 East 145th street, south side, 91.41 ft. east of Third avenue (Block No. 2306, Lot No. 66), Borough of The Bronx; and

WHEREAS, this application was granted by the Board on May 12, 1942, on certain conditions, resolution amended September 9, 1942, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of May 12, 1942, as amended September 9, 1942, so that as amended, the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the

Labor Law as cited in a decision of the borough superintendent on Alt. Applic. No. 904-41, Objection No. 10, and that the application be and it hereby is *granted on condition* that the fire escapes shall comply in all other respects with the requirements of the Labor Law and all other laws applicable except that the balconies may be 3 ft. 8 in. in width; that the slope of the ladders may not be more than 60°; that the egress to the street from the second story balcony may be by means of a counter balanced drop ladder in guides; that a door shall be constructed in the wall of the four story building near the fire escape, so as to provide access to the fire escape from the three story building roof to the 4th story adjacent to the window leading to the fire escape; that the proposed new interior stairs shall be continued from the 3rd story roof to street with enclosure walls of construction approved for one hour; that the existing stairway in the 4 story building shall be enclosed from first to fourth floors in similar enclosure with fireproof doors; that from such supplemental stairway in the four-story building, the fireproof or fire-retarded passage to street may be omitted; that access from the fourth story to the roof of the three-story building shall be by means of the door as hereinbefore provided; that such door shall be arranged so that it may be readily openable from either side and to facilitate such opening, the door shall be provided with a break-glass panel; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

APPLIANCE AND MATERIALS SUBMITTED FOR APPROVAL.

855-41-SM.

APPLICANT—Standard Bleachery and Printing Company owner.

SUBJECT—Swanpruf (fire resistive flameproof material) approval of.

APPEARANCES—

For Applicant: Raymond H. Dukher.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Murphy
Negative:

THE RESOLUTION (855-41-SM)

WHEREAS, Standard Bleachery and Printing Company owner, filed on October 6, 1941, an application with the Board of Standards and Appeals for approval of the material known as Swanpruf (fire resistive flameproof material) and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 9, 1942.

Re: Cal. No. 855-41-SM.

Subject: Swanpruf (fire resistive flameproof material) approval of.

The Standard Bleachery and Printing Company, Carlton Hill, New Jersey, filed on October 6, 1941, with the Board of Standards and Appeals an application under the requirements of Section C26-178.0 of the Administrative Code and the Rules of the Board for Test of Fire-Resistive, Flameproofed Materials, etc., for use in New York City under the pertinent provisions of the Administrative Code and the above mentioned Rules of the Board.

Swanpruf is a chemical mixture of ammonium sulphate, diammonium phosphate and borax of stated pro

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portions dissolved in water and applied by immersion. Samples of materials to be tested according to the Board's Rules were treated at the applicant's plant in Carlton Hill, New Jersey, in the presence of Engineer J. F. Fitzsimons, representing the Board. The solution was prepared by dissolving 72 grams of Ammonium Sulphate, 16 grains of Di-Ammonium Phosphate and 8 grams of Borax in 500 cc of water at 120 degrees F., hydrometer reading—16° Twaddle, 10.74° Baume. The materials treated were cotton lawn (9.5 yards to the pound) and cotton drill (2.25 yards to the pound), which were dipped in the solution until saturated, taken out and passed through a hand wringer to remove excess moisture and hung up to dry at room temperature. After drying, they were forwarded to the United States Testing Company, Inc. for conditioning and testing in accordance with the requirements of the Board's Rules. The results of the tests are as follows: (Report 35719, dated October 22, 1942)

Fabric	Application of flame (sec.)	Afterflame (seconds)	Afterglow (seconds)
Cotton lawn 1	12	0	0
2	12	0	0
3	12	0	0
Untreated	Sample entirely consumed in 9 seconds		
Cotton drill 1	12	0	1
2	12	0	1
3	12	0	1
Untreated	Sample entirely consumed in 22 seconds		

These tests were conducted in accordance with the requirements of the Rules for Tests of Fire-Resistive, Flameproof Materials, etc., in the presence of Engineer J. F. Fitzsimons, representing the Board.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval of Swanpruf as a flameproofing compound for use on fabrics susceptible of being satisfactorily flameproofed by a proper application of the compound, as shown by the test data. Tests for each specific installation of originally treated combustible material, or any tests thereof, shall be made by the Fire Commissioner or in a laboratory approved by him, in accordance with the Rules of the Board hereinbefore referred to.

The Committee further recommends that each installation shall be marked, labelled or stamped "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 855-41-SM." Each container in which this compound is marketed shall carry, in addition to the above wording, specifications to be followed in the application of Swanpruf to the fabrics so as to insure their being flameproofed in accordance with the requirements of the Rules for Tests of Fire Resistive, Flameproof Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures, adopted by the Board under Cal. No. 294-40-SR.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Swanpruf (fire resistive flameproof material), on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

424-42-SM.

APPLICANT—S. H. Pomeroy Company, Incorporated, owner.

SUBJECT—Application reopened July 28, 1942 re Jackson Nailable Studs and Accessories for non-bearing interior and exterior partitions (previously approved re Jackson System) (fastenings for Acoustical and Insulating Materials for Walls and Ceilings), approval of.

APPEARANCES—

For Applicant: Charles J. Spiess.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Murphy 4

Negative: 0

THE RESOLUTION (424-42-SM)

WHEREAS, the S. H. Pomeroy Company Incorporated, owner, filed on May 22, 1942, an application with the Board of Standards and Appeals for approval of the material known as the "Jackson System" (fastenings for acoustical and insulating materials for walls and ceilings); and

WHEREAS, this material was approved by the Board on July 28, 1942 and applicant requested an amendment of the resolution and approval of the Jackson Metal Nailable Studs and Accessories for Non-Bearing Interior and Exterior Partitions; and

WHEREAS, this application was reopened by vote of the Board on July 28, 1942 and referred to the Committee on Tests for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 9, 1942.

Re: Cal. No. 424-42-SM

Subject: Amendment of Resolution adopted July 28, 1942, so as to include approval of Jackson Metal Nailable Studs and Accessories for Non-Bearing Interior & Exterior Partitions.

The Board of Standards and Appeals on July 28, 1942, approved the Jackson System (Fastenings for Acoustical and Insulating Materials for Walls and Ceilings) and the applicants, the S. H. Pomeroy Co., Inc., have now requested an amendment to include the Jackson Metal Nailable Studs and Accessories for Non-Bearing Interior and Exterior Partitions.

The Jackson Metal Nailable Studs (Fig. 1) are metal, mechanical and demountable stud partitions, secured to floor and ceiling channels, as supports for various types of wall and partition finishes, such as wire lath and plaster, plasterboard with plaster finish, etc., all nailed to the studs by means of the Jackson Spear Point Nail (See Resolution of July 28, 1942, Bul. 31, Vol. 27). They are used also as light steel non-bearing framing for rigid materials serving as exterior finishes for steel and other framed structures whereby the studs are secured to the steel and other framed buildings and afford an exterior and interior nailable base for surface materials.

Jackson Metal Nailable Studs are manufactured from zincgrip finished sheet steel, and floor and ceiling runner channels are manufactured from galvanized finished sheet steel. The Spear Point fastening nails are of #13 gauge wire galvanized. The stud is basically composed of two (2) shaped Jackson Furring strips #26 gauge zincgrip finished, set back to back and spot-welded on 1'0" centers up each side at the junction, with welds appearing alternately 6" on centers from one side to the other to form a 13¼" wide section. Eight inches from the top each stud is cut and two (2) #20 gauge zincgrip finished 16" long telescopic splices are spot welded to the 8" sections, same to facilitate erection and accommodate variances in ceiling heights. After erection and adjustment to desired height, telescopic

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splice is locked by means of a Parker Kalon screw. The top and bottom of studs are installed in #20 gauge continuous galvanized finished floor and ceiling runner channels which in turn are secured to floor and ceiling. Parker Kalon Screws, two (2) to each top and bottom fasten the studs to the channels. For wider partitions, two (2) 1" wide #16 gauge galvanized finished sheet steel bridge clips or separators, formed of two (2) sections spot welded together to give approximately $\frac{1}{8}$ " web, engage the shape of the Jackson Furring Strips, acting as flanges for the wider stud. These separators are installed at the top of the stud and 1" wide separators, as described above, are installed on 2'0" centers along the longer stud section. Separators or bridge clips are designed in various lengths to create partitions, the thickness of which depends on the purpose desired or to accommodate mechanical equipment. On this top section two (2) #20 gauge, zincgrip finished, 16" long telescopic splices are spot welded to the section, so as to facilitate erection and accommodate variances in ceiling heights. The top and bottom of studs are installed in #20 gauge continuous galvanized finished floor and ceiling runner channels, which in turn are secured to floor and ceiling.

Parker Kalon Screws, two (2) to each top and bottom, fasten the studs to the channels.

Tests.

Transverse bending tests made by Columbia University Engineering Laboratories on $1\frac{3}{4}$ in. Jackson Studs on May 18, 1942 (Report Laboratory Test #7049 and 70494). The studs were tested as beams supported on 4 in. by $2\frac{1}{2}$ in. I beams, which were 24" c-c load was applied at midspan through knife-edge and bearing plate, with loads and deflections as follows:

70493		70494	
Applied load,	Midspan defl.,	Applied load,	Midspan defl.,
lbs.	ins.	lbs.	ins.
10	0	10	0
50	0.04	50	.02
100	0.07	100	.06
150	0.11	150	.11
200	0.15	200	.14
225	0.18	225	.17
250	0.23	250	.21
256	0.29	256	.27
Max. Load		Max. Load	

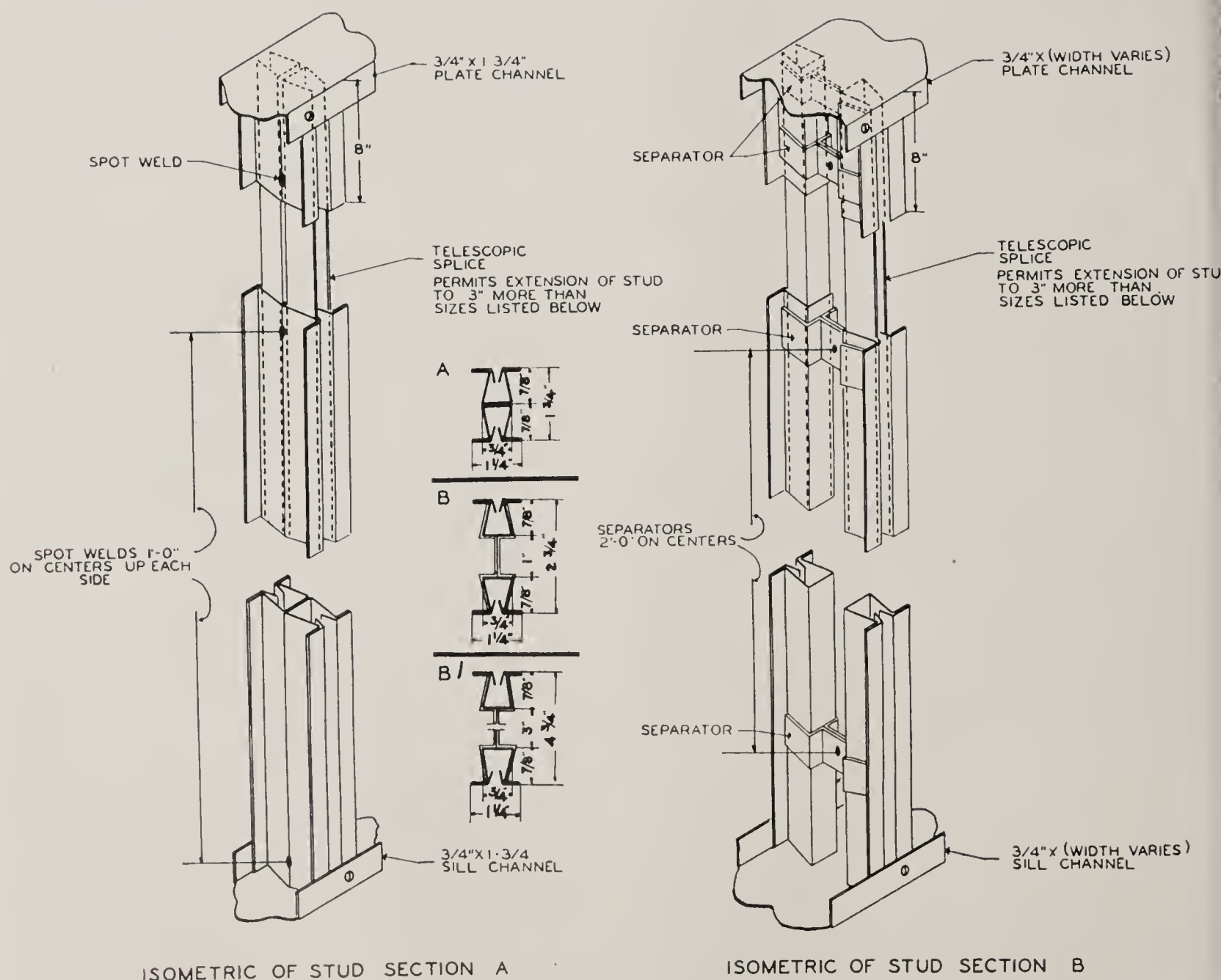


Fig. 1

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PROPERTIES OR ELEMENTS OF JACKSON STUDS (As Calculated from Tests Made in Beam Position)

Approx. t. Per Ft.	—Load to Produce Allowable Deflection—			—Load for Fibre Stress (16,000 p.s.i.)*—		
	Span	Concentrated at Mid Span	Uniform	Span	Concentrated at Mid Span	Uniform
A 64 lbs.	8'-0"	34 lbs.	55 lbs.	8'-0"	58 lbs.	116 lbs.
	9'-0"	27 lbs.	44 lbs.	9'-0"	52 lbs.	104 lbs.
	10'-0"	22 lbs.	35 lbs.	10'-0"	42 lbs.	83 lbs.
B 58 lbs.	8'-0"	98 lbs.	157 lbs.	8'-0"	107 lbs.	214 lbs.
	9'-0"	78 lbs.	125 lbs.	9'-0"	95 lbs.	190 lbs.
	10'-0"	63 lbs.	101 lbs.	10'-0"	76 lbs.	152 lbs.
B 1 70 lbs.	8'-0"	341 lbs.	547 lbs.	8'-0"	219 lbs.	438 lbs.
	9'-0"	270 lbs.	433 lbs.	9'-0"	194 lbs.	388 lbs.
	10'-0"	216 lbs.	347 lbs.	10'-0"	175 lbs.	350 lbs.

*wable stress of 18,000 p.s.i. reduced to 16,000 p.s.i. to correct for minus tolerances not exceeding 10%.

Recommendation.

On the basis of the foregoing data the Committee on Tests recommends the amendment of the resolution adopted July 28, 1942, to include the approval under Section C26-191.0 of the Administrative Code of the Jackson Metal Nailable Studs and Accessories for Non-Bearing Interior and Exterior Partitions for permissive use in New York City under the pertinent provisions of the Administrative Building Code. All materials or containers in which these materials are shipped for use in New York City shall be marked, labelled or stamped "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 424-42-SM for non-bearing use."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

WHEREAS, this report recommended the amendment of the resolution of July 28, 1942, and the approval of this material, *solved*, that the Board of Standards and Appeals does *by amend* the resolution of July 28, 1942, and *approve* material known as the Jackson Metal Nailable Studs Accessories for Non-Bearing Interior and Exterior Partitions, *on condition* that the material be manufactured, *in* and labelled, stamped or tagged in accordance with the report.

42-SA.

APPLICANT—W. D. Allen Manufacturing Company,
owner.

SUBJECT—Allen Iron Body 2½ in. Fireline Angle Valve,
Type "A", 175 lb. W. W. P., approval of.

PEARANCES—

For Applicant: Andrew L. Boerner.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Murphy 4
Negative: 0

RESOLUTION (473-42-SA)

WHEREAS, the W. D. Allen Manufacturing Company, *er*, filed on June 15, 1942, an application with the Board of Standards and Appeals for approval of the appliance *known as* the Allen Iron Body 2½ in. Fireline Angle Valve, Type "A", 175 lb. W. W. P.; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 9, 1942.

Cal. No. 473-42-SA

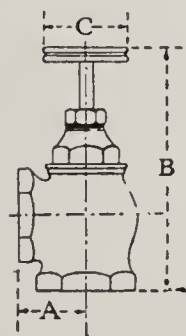
Subject: Allen Iron Body 2½ in. Fireline Angle Valve,
Type A, 175 lb. W.W.P., approval of

The W. D. Allen Manufacturing Company of New York and Chicago, filed June 15, 1942, an application with the Board of Standards and Appeals for approval of the Allen Body 2½ in. Fireline Angle Valve, Type A, for a 175 lb. W.W.P. (Fig. 1) under C26-178.0b and the pertinent provisions of the Administrative Building Code and the Standpipe Rules of the Board of Standards and Appeals.

Under Cal. No. 1151-27-SA the Board of Standards and Appeals approved the Allen 2½ in. Fireline Angle Hose Valve under Rule 92 of the Standpipe Rules of the Board of Standards and Appeals, the entire valve, except the wheel handle being constructed of brass. Owing to the War Emergency and the scarcity of non-ferrous metals, the applicant has submitted a similar valve for approval with the body constructed of malleable iron in lieu of non-ferrous metals.

The valve has a malleable iron body with brass bonnet, brass stem and disc seat and 6" iron wheel handle of the following dimensions:

Valve Size--2½ inches



Dimension A	2 15/16"
Dimension B—open	12 3/4"
Dimension B—closed	11"
Dimension C	6"
Dimension D	3 1/4"
Dimension E170	3 5/8" male hose connection
Dimension E171	3 1/2" female hose connection
Weight pounds	13 3/4"

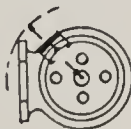


Fig. 1

This valve has been subject to hydrostatic tests by the Underwriters Laboratories, Chicago, whose report stated that the two valves were found to have the requisite tightness when tested under hydraulic pressures of 300 p.s.i. and 600 p.s.i. and that no difficulty was found in operating the valves while under these pressures.

One of the valves tested to failure fractured the metal between the inlet and outlet while under a test pressure of 2750 p.s.i. and another failed by separation of the threaded bonnet from the body under the pressure of 3300 p.s.i.

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Recommendations.

On the basis of these tests and the examination of the valve by the Committee on Tests, it is recommended that the Allen Iron Body 2½ inch Fireline Angle Valve, Type A, 175 lb. W.W.P. (Fig. 1) be approved under C26-191.0 for use in standpipe installations under Sub. Art. 4 of Art. 15 in New York City, during the present emergency and six months thereafter, provided the valve be constructed in accordance with the report and contains the following markings on valve body [2½ U] (A) cast integrally and the following wording stamped on body, bonnet or nut within a ¾" circle: around the periphery, at the top, the word "APP'VD.", along the bottom, "B. S. & A.", in the center, two lines, Upper line reading "N. Y. C.", Lower line reading "473-42-SA".

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Allen Iron Body 2½ in. Fireline Angle Valve, Type "A", 175 lb. W.W.P., *on condition* that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

Adjourned: 3:45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on July 21, 1942, as they appeared in Bulletin No. 30, Vol. 27, are hereby corrected to read as follows:

THE RESOLUTION (1101-41-BZ)

WHEREAS, Louis A. Kiesewetter, for the Texas Company, owner, filed on December 23, 1941, an application under section 7c of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, the reconstruction of an existing gasoline service station; premises 451-457 Flushing avenue and 713-721 Bedford avenue, northeast corner (Block No. 2263, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting July 21, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Bedford avenue is in a business use district; and Flushing avenue and Wallabout and Lynch streets are in an unrestricted and business use district; and

* Correction—The words "*except that the existing truck pit shown on plans marked 'Received July 17, 1942' may be continued*", inserted in lines 62 and 63 of the resolution and the words "*that a similar sign may be erected at Flushing avenue at the easterly lot line, as shown*," inserted in lines 88, 89 and 90 of the resolution.

WHEREAS, the decision of the borough superintendent N.B. Applic. No. 2422-41, dated December 18, 1941, is

"1. The erection of a new building to be used as the office of a gasoline service station, lubritorium, auto laundry on a gasoline service station partly in a business area district (extending into an unrestricted use district) is prohibited by Art. 11, Section 4a of the building zone resolution."

and

WHEREAS, the premises consist of an irregular plot of ground having a frontage of 140 ft. on Bedford avenue, 72 ft. 1 in. on Flushing avenue and a distance of 125 ft. along the northerly lot line. An irregular section of area at the northeasterly part of the plot extends for a distance of approximately 25 ft. into an unrestricted use district—the remainder of the plot is in a business use district. It is proposed to remove the building now on the site, to rearrange the gasoline station and to erect upon the premises an accessory building, 66 ft. by 48 ft. 3 in., irregular in shape and

WHEREAS, the premises and the surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7c, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals hereby *make a variation* in the application of the restrictive regulations of the zoning resolution, and that the application be and it hereby is *granted*, under section 7c thereof, to permit the rearrangement and reconstruction of the legally existing gasoline service station substantially indicated on revised plans marked "Received July 17, 1942" *on condition* that all existing buildings and uses, including tanks, shall be removed; that the new accessory building shall be erected toward the easterly portion of the plot indicated on such plan; that such accessory building shall be constructed of incombustible materials, except the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, provided the building throughout is fire-retarded in accordance with the Rules of the Board; that no openings shall be constructed or maintained on the lot line walls of adjoining premises; that the heater room shall be separated from the balance of the building with fireproof materials, and shall be enterable from the exterior; that the greasing racks shall be of the hydraulic type, *except that the existing truck pit shown on plans marked "Received July 17, 1942" may be continued*; that pumps shall be located not nearer than 15 ft. from Flushing avenue and 15 ft. from Bedford avenue; curbs shall be restricted to those indicated on such plan, consisting of two to Flushing avenue and three to Bedford avenue; that a masonry wall not less than six (6) ft. high shall be constructed at the northerly lot line of the existing building on adjoining premises to Bedford avenue, and a similar wall shall be erected from the accessory building to the street line of Flushing avenue or the wall of the building on the adjoining lot shall be faced to a height of 6 ft.; that a semi-circular or triangular block of concrete shall be maintained at the intersection of the building for a distance of not less than five (5) ft. along each side; that the balance of the premises where not occupied by the accessory building, pumps and planting, as shown, shall be cement paved or paved with Colprovia or other similar impervious material; that no signs shall be erected on the premises, except that there may be a permanent sign attached to the accessory building, and signs on the illuminated sides of pumps, excluding all roof signs and temporary signs, permitting the erection within the building line near the intersection of a post standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than four (4) ft.; *a similar sign may be erected at Flushing avenue at the easterly lot line, as shown*; that any lights for general illumination shall be on post standards not over 12 ft. high; that the gasoline storage tanks shall be restricted to six, each of 1,000 gallon capacity as permitted by the

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is day under Cal. No. 481-42-A; that no motor vehicle repairing shall be permitted on the premises; that there shall be no parking of cars other than those being serviced; that portable gasoline tanks shall be used on or from the premises; that all permits shall be obtained and all work completed within two (2) years from the date of this resolution.

00-40-SA.

NOTE: In Bulletin No. 25, Vol. 27, issued June 16, 1942, notation was made of publication of the resolution in a subsequent issue of the Bulletin—this resolution is now published and follows:

THE RESOLUTION (700-40-SA)

WHEREAS, Westinghouse Electric Elevator Company, New York, New York, filed on June 27, 1940, an application with the Board of Standards and Appeals for approval of the appliance known as the Westinghouse Type O. M. Oil Buffer; and WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

June 16, 1942.

Re: Cal. No. 700-40-SA.

Subject: Westinghouse Type O. M. Oil Buffer, approval of.

The Westinghouse Electric Elevator Company, New York, New York, filed on June 27, 1940 with the Board of Standards and Appeals an application for approval of its appliance known as the Westinghouse Type O. M. Oil Buffer under the requirements of Sections C26-178.0b and C26-950.0 of the Administrative Building Code.

The Westinghouse Type O. M. Oil Buffer (Fig. 1) operates to slow down and stop the car or counterweight at an average rate of retardation no greater than that of gravity, when the car and counterweight are running at governor tripping speed. The cylinder (P) of this buffer is of seamless steel tubing. Inside of the cylinder is welded a tapered steel rod called the control rod (R). The plunger (S) is of seamless steel tubing. This plunger fits into the open end of the cylinder (P) and is guided by two bronze bushings (D) pressed into the cylinder. The outside of the plunger is ground to a fine finish and dimensional tolerances such as to give a close fit to the bushings. To the bottom end of the plunger is welded a cast steel disc (E). This disc has a hole in the center. When the plunger with the disc is slipped into the cylinder, the control rod projects through the hole in the disc. The clearance between the control rod and hole in the disc provides an annular type orifice. The plunger is held into the cylinder by a baffle plate (F) which bolts to the top of the control rod and over the disc (E). In the top of the baffle plate is cast a seat for the return spring (G). The spring is held in the plunger at the top by the buffer cap (H) which has a set for the spring cast in it. The cap is of cast steel machined on the outside to fit inside of the plunger. It is bolted to the plunger. In the top of this cap is inserted a rubber bumper (J). This bumper absorbs the initial impact of the elevator striker block. The cars (K) are welded to the cylinder (P) and provides for oil storage and to catch oil leakage past the first bushing. An oil level gauge (L) as required by Sec. C26-945.0 is provided to indicate proper oil level.

The sequence of operation of this buffer is as follows: As the elevator striker block hits the rubber bumper (J) the rubber compresses permitting the plunger assembly (E), (J), (H) and (S) to accelerate

without excessive impact. As the plunger assembly moves down, the steel disc (E) moves down the control rod (R). This forces oil through the annular orifice formed by the control rod (R) and steel disc (E). The forcing of oil through this orifice provides the retarding force required to stop the elevator car or counterweight. Since the control rod is tapered, this orifice reduces in size thus providing constant retarding force. The spring (G) is compressed which provides a means of automatically returning the plunger to its original position after the elevator has been withdrawn. The displacement of the air in the plunger is provided for

OIL BUFFER-TYPE OM

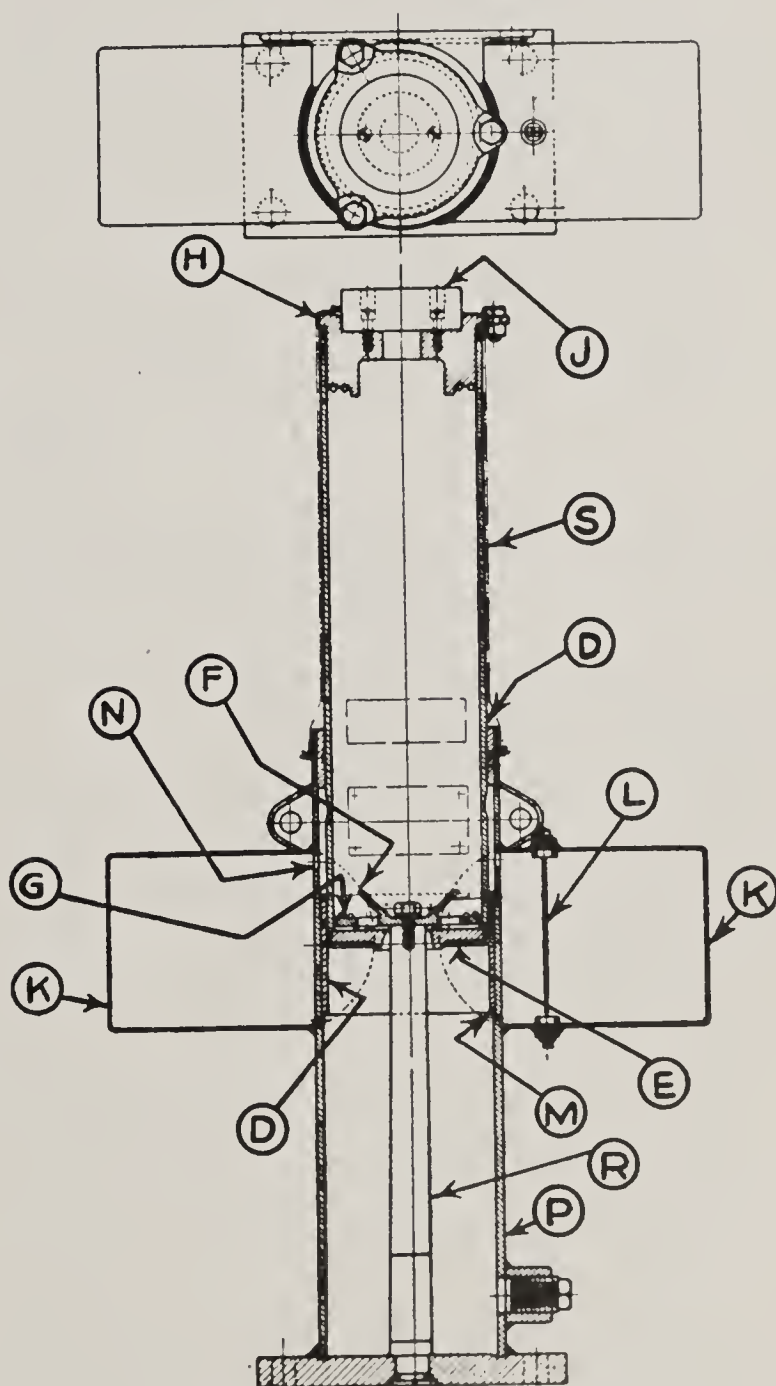


Fig. 1

by clearance between the buffer cap (H) and the inside of the plunger (S). The baffle (F) is provided to break up the oil as it is forced through the orifice, thus preventing the oil being driven against the buffer cap (H) at a high velocity. A hole at (M) is pro-

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vided between the ears (K) and the cylinder so that leakage past the first bushing drains back to the cylinder. There is also a hole at (N) which permits the oil which leaks past the first bushing to drain into the ears. A relief hole is provided in the steel disc (E) to prevent the plunger from being locked by suction at the compressed position.

The Westinghouse Type O. M. 59-inch stroke elevator buffer has been tested by the Bureau of Standards, U. S. Department of Commerce (Report TN67994) as a buffer having the following rating:

Minimum weight of car or counterweight	4250 lbs.
Maximum weight of car or counterweight	11000 lbs.
Maximum governor tripping speed.	1060 ft. per min.

and the tests indicate that the buffer complies with the requirements of each of the following tests prescribed by Article 14 of the Administrative Code:

1. Retardation Test	C26-1187.0
2. Oil Leakage Test	C26-1188.0
3. Churning Test	C26-1189.0
4. Plunger-Return Test	C26-1190.0
5. Test for lateral movement of plunger	C26-1191.0

These tests were made at 20° to 23° C. with oil having an absolute viscosity of 3.02 poises at 10° C. and 0.575 poise at 35° C.

The Bureau has further certified that the following buffers have the same plunger diameter as the buffer Type OM, 59 inch stroke and a porting that will give substantially the same values of retardation.

Buffer	Stroke	Weight of car or counterweight		Maximum Governor Tripping Speed
		Minimum	Maximum	
OM 49	49 in.	4,250 lb.	11,000 lb.	973 ft. per min.
OM 39	39 in.	4,250 lb.	11,000 lb.	868 ft. per min.
OM 30	30 in.	4,250 lb.	11,000 lb.	761 ft. per min.
OM 22	22 in.	4,250 lb.	11,000 lb.	652 ft. per min.
OM 20	20 in.	4,250 lb.	11,000 lb.	622 ft. per min.
OM 18	18 in.	4,250 lb.	11,000 lb.	590 ft. per min.
OM 14	14 in.	4,250 lb.	11,000 lb.	520 ft. per min.

On the basis of the foregoing data, the Committee Tests recommends the approval of the Westinghouse Type OM, 14 in. to 59 in. stroke elevator buffer for use in New York City when installed in accordance with the provisions of the Administrative Building Code when used within limitations as described herein and marked as required by Sec. C26-950.0 of the Administrative Building Code, including a label or decalcoman reading as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 700-40-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,
CHARLES M. BLUM,
Commissioner,
LESLIE V. HUBER,
Chief Engineer,
Committee on Tests

and WHEREAS, this report recommended approval of this appliance.

Resolved, that the Board of Standards and Appeals do hereby approve the appliance known as the Westinghouse Type O. M. Oil Buffer, on condition that the appliance manufactured, installed, and labelled, stamped or tagged in accordance with above report.

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS
FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair treads constructed of bars at least one-half (1/2) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half (1 1/2) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not

exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, stories or less in height, one of the required means of exit or escape under section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto:

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed in place at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

RULES

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect, unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 10 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible, no sprinkler	Contents combustible, and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor level and the floor next above the curb or average grade level.

Where the stairway extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of the roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvers or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.

Volatile inflammable oils, 1 gallon.

Volatile inflammable mixtures, 5 gallons.

Combustible mixtures, 10 gallons.

Paints, varnishes and lacquers, 10 gallons.

Upholstering or mattresses, manufacturing or repairing.

Cotton, rag and paper sorting, 1 ton.

Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupants as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. **Required Exits.**—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required.

RULES

Such enclosures shall lead directly to a door opening outwardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or $\frac{1}{4}$ -inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved $2\frac{1}{2}$ -gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

In lieu of a counter-balanced stairway, a drop ladder guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony railing which rail shall be properly braced.

When such substandard fire escapes are located in front, court, side or rear of a building, proper egress to a place of safety shall be provided, either to open adjoining yard or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law and rules of the Board of Standards and Appeals may be maintained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly painted, exits thereto and all platforms and passageways thereof shall be maintained unobstructed and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges between party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed on openings leading to these substandard exits.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

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TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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Minutes of Regular Meeting November 17, 1942, at 2 P. M., Affecting Calendar Numbers 140-42-BZ, 1182-39-BZ, 1289-39-BZ, 720-42-A, 744-42-A, 796-42-A, 797-42-A, 682-42-A, 760-42-A, 484-42-S, 485-42-A, 643-42-A, 696-42-A, 752-42-A, 775-42-A, 644-42-A, 289-41-SM, 800-39-SM and 367-42-SA.

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Notice of Public Hearing on Proposed Amendments to Rules relative to Submerged Inlets and Protective Methods to be applied to Prevent Contamination of Water Supply.

Rules for the Testing and Use of Blended Cements.

COURT DECISION.

Matter of Robitzek Inv. Co., Inc. v. Colonial Beacon Oil Co.—An action was brought to recover rent under a written lease. The premises consist of a gasoline station located at the southwest corner of Ferris avenue and Eastern Boulevard in the Bronx.

The oil company, as defendant, contended that the premises were abandoned because of the restrictions caused by the orders of the War Production Board and limitations as to sale of automobile accessories by the order of Price Management, and that the construction and maintenance of the building were illegal. The oil company, which had occupied the premises under the lease for four years and for which a Certificate of Occupancy had been issued, contended also that under Paragraph 7 of the lease it was justified in cancelling and surrendering the lease for the above reasons. Mr. Justice Koch in Special Term ruled these government orders did not deprive the oil company of the "use" of the premises for the purposes intended and that if the restriction was upon the sale of all gasoline or all tires, tubes and casings, a different situation would present itself. The court said further that "no violations have been filed against the premises whatsoever, nor is there any basis for suspecting that any will be filed. It, therefore, is no defense to the landlord's demand for rent that the construction and maintenance of the building is illegal" (N. Y. Law Journal, October 2, 1942, page 849).

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to November 17, 1942.

Cal. No. Dept. Premises Affected

792-42-A—H.B.B.—736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn, Misc. 8575-41.

793-42-BZ—H.B.B.—20-30 Bay Ridge avenue, south side, 233 ft. 8½ in. west of Narrows avenue (Block No. 5868, Lot No. 15), Borough of Brooklyn, B. N. 1378-42.

794-42-A—F.D.—412-414 West 26th street, south side, 139 ft. west of Ninth avenue (Block No. 723, Lot No. 46), Borough of Manhattan, Decisions re 8505-L. F.

795-42-SR—Proposed rules for Building Brick, Rules.

796-42-A—H.B.M.—101 Greene street, west side, 244 ft. 10 in. north of Spring street (Block No. 500, Lot No. 28), Borough of Manhattan, Amendment to Alt. 322-42.

797-42-A—H.B.B.—20-40 Jay street, southwest corner of John street, entire block bounded by Jay, John, Pearl and Plymouth streets (Block No. 19, Lot No. 1), Borough of Brooklyn, Elevator Applic. 2999-42.

798-42-A—F.D.—423-443 Atlantic avenue, north side, 250 ft. east of Bond street (Block No. 178, Lot Nos. 54-64), Borough of Brooklyn, 92857-L. C. and Decision.

799-42-A—H.B.M.—46 West 73rd street, south side, 50 ft. east of Columbus avenue (Block No. 1125, Lot No. 61), Borough of Manhattan, Misc. Spr. Applic. 318-42.

800-42-A—H.B.Bx.—4762-4764 Third avenue, east side, 105 ft. north of East 189th street (Block No. 3033, Lot No. 58), Borough of The Bronx, Amendment to Alt. 318-42.

801-42-BZ—H.B.Bx.—3426 Barker avenue, east side, 38 ft. 6 in. south of Duncomb avenue (Block No. 4627, Lot No. 112), Borough of The Bronx, Amendment to N. B. 40-42.

802-42-BZ—H.B.Bx.—3428 Barker avenue, east side, 18 ft. 6 in. south of Duncomb avenue (Block No. 4627, Lot No. 12), Borough of The Bronx, Amendment to N. B. 39-42.

803-42-A—H.B.M.—786 First avenue and 400 East 44th street, southeast corner and north side of East 43rd street, 150 ft. east of First avenue (Block No. 1355, Lot No. 7), Borough of Manhattan, Alt. 1148-42.

804-42-A—H.B.Q.—41-06 De Long street, west side, 6 ft. east of Port Washington Division of Long Island Railroad (Block No. 5066, Lot No. 255), Flushing, Borough of Queens (under section 35, General City Law, re bed of inapped street) (41st avenue), N. B. 1092-42.

Restored to Calendar.

140-42-BZ—H.B.Bx.—2851-2853 Bailey avenue, west side, 498 ft. south of West 230th street (Block No. 3264, Lot No. 63), Borough of The Bronx, N. B. 864-41.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

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Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 2
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NOVEMBER 24, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, Tuesday morning, November 24, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

CALENDAR

07-42-BZ—Application, February 5, 1942, under section 7c of the zoning resolution, of John F. Payne, applicant on behalf of Socony-Vacuum Oil Company, Incorporated, owner, to permit in a business use district, the erection of an accessory building upon a plot now occupied as a gasoline service station; the vehicular entrance to the gasoline service station is located within 200 ft. of an entrance to a public playground; premises 401-413 Dalill road and 2-12 Cortelyou road, southeast corner (Block No. 5384, Lot No. 1), Borough of Brooklyn.

27-35-BZ—Application of Jack Z. Cohen, applicant on behalf of Joseph Angelone, owner, reopened June 30, 1942, under section 7f of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and also, the erection and maintenance of garages for four (4) motor vehicles; premises 115-119 Truxton street, north side, 142 ft. 9¾ in. west of Conway street (Block No. 1544, Lot Nos. 42 and 44), Borough of Brooklyn.

26-28-BZ—Application of Joseph B. Lynch, applicant on behalf of The Texas Company, owner, reopened December 6, 1941, under section 7c of the zoning resolution, to permit in a residence use district the extension of an accessory building (for lubricatory use) and also, the rearrangement of pumps on an existing gasoline service station, which was previously acted upon by the Board; premises 2633-2643 Ocean avenue and 2002 Avenue V, southeast corner (Block No. 7381, Lot No. 1), Borough of Brooklyn.

8-30-BZ—Application of Charles M. Spindler, applicant on behalf of Lillian Kaplan, owner, reopened July 23, 1942, under sections 7c and 7f of the zoning resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the Board) and also, for a term of years, the parking and storage of more than five (5) motor vehicles; premises 73-13 to 73-21 Cooper avenue and 71-34 to 71-38 73rd place, northwest corner (Block No. 691, Lot No. 19), Glendale, Borough of Queens.

76-42-BZ—Application, September 17, 1942, under section 7c of the zoning resolution, of Frank Straub, applicant on behalf of Monte Realty Company, Incorporated, owner, to permit in a residence use district, the alteration and conversion of occupancy of a four (4) story building, erected as a stable, to store, showroom, offices and light manufacturing; premises 357 West 17th street, north side, 100 ft. east of Ninth avenue (Block No. 741, Lot No. 5), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 24, 1942, 2 P. M.

Appeals from Administrative Decisions.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

84-41-A—121 Bay 23rd street, east side, 100½ ft. south of Benson avenue (Block No. 6408, Lot No. 16), Borough of Brooklyn.

797-42-A—20-40 Jay street, southwest corner of John street, entire block bounded by Jay, John, Pearl and Plymouth streets (Block No. 19, Lot No. 1), Borough of Brooklyn.

96-42-A—101 Greene street, west side, 244 ft. 10 in. north of Spring street (Block No. 500, Lot No. 28), Borough of Manhattan.

75-42-A—146 Hendricks avenue, south side, 197.75 ft. west of Jersey street (Block No. 44, Lot No. 17), New Brighton, Borough of Richmond.

729-42-S—39-01 Queens boulevard and 43-29 39th street, northeast corner (Block No. 191, Lot No. 5), Long Island City, Borough of Queens.

Appliances and Materials for Approval.

191-42-SA—E. S. Type S. Elevator Interlocking Device Hatchway Unit System.

192-42-SA—E. S. Positive Barlock (Type B) Elevator Interlocking Device Hoistway Unit System.

489-42-SM—Tomkins Cove Crushed Limestone (Concrete Aggregate).

289-41-SM—Monarch Hydrated Finishing Lime, Monarch Masons Lime, Monarch Brick Mortar.

DECEMBER 1, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, December 1, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

363-42-BZ—Application, May 5, 1942, under sections 7e and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adey, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

577-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant, on behalf of Crew Levick Corporation, owner (Joseph E. Johnston, lessee), to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

607-42-BZ—Application, August 5, 1942, under section 7h of the zoning resolution, of J. M. Berlinger, applicant, on behalf of Janetta Whitridge, Mary Whitehouse and Harriet Aldrich, owners, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan.

610-42-BZ—Application, August 6, 1942, under sections 7h and 21 of the zoning resolution, of Mac L. Reiser, applicant, on behalf of Mary Oginsky and Philip Oginsky, owners (Martha Kozak, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 336-338 (340 displayed) New Jersey avenue, west side, 125 ft. north of Belmont avenue (Block No. 3738, Lot Nos. 30 and 31), Borough of Brooklyn.

95-40-BZ—Application of Samuel Rosenblum, applicant, on behalf of 40 Central Park South, Incorporated, owner, reopened November 18, 1941, under section 7h of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 41 West 58th street, north side, 120 ft. east of Sixth avenue (Block No. 1274, Lot No. 6), Borough of Manhattan.

CALENDAR

215-42-BZ—Application, March 18, 1942, under section 7h of the zoning resolution, of John C. Wandell, applicant, on behalf of Society of St. Vincent De Paul, owner (Arthur Stevenson, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 8101-8111 Third avenue and 302-318 81st street, southeast corner (Block No. 5997, Lot Nos. 7 and 11), Borough of Brooklyn.

119-42-BZ—Application, February 10, 1942, under section 21 of the zoning resolution of Goldenthal Brothers, applicant on behalf of Peter Anselmi, owner, to permit in a business use district, the maintenance of eight (8) one-car garages; (two (2) for accessory use and six (6) to be rented to individuals not residing on the premises); premises 28-04 39th avenue, southeast corner of 28th street (Block No. 398, Lot No. 21), Long Island City, Borough of Queens.

708-38-BZ—Application of Lama and Proskauer, applicants on behalf of Patrick Carroll, owner, reopened June 16, 1942, under section 7c of the zoning resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles, on an existing gasoline service station (the gasoline service station was previously granted by the Board); premises 92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot No. 5), Elmhurst, Borough of Queens.

586-42-BZ—Application, July 21, 1942, under section 7c of the zoning resolution of John F. Payne, applicant on behalf of Socony-Vacuum Oil Co., Inc., owner, to permit in a business use district, the alteration and conversion of occupancy of an accessory building on an existing gasoline service station, from storeroom to car-washing and lubricatorium; premises 168 Richmond terrace and 1-7 Stuyvesant place, southerly intersection (Block No. 12, Lot No. 11), St. George, Borough of Richmond.

903-25-BZ—Application of Lama and Proskauer, applicants on behalf of Rose Rolland, owner, reopened November 5, 1941, under section 7f of the zoning resolution, to permit in a business use district, for a term of ten (10) years, the use of a two (2) story and basement building, as a garage for more than five (5) motor vehicles; the Board having previously granted a one (1) story garage for more than five (5) motor vehicles on the premises in question; premises 823-829 Classon avenue, east side, 47 ft. north of Lincoln place (Block No. 1178, Lot No. 3), Borough of Brooklyn.

523-42-BZ—Application, June 29, 1942, under section 21 of the zoning resolution of Clifford L. Snyder, applicant and lessee, on behalf of The Fordham Methodist Episcopal Church, owner, to permit in a residence use district, the alteration and conversion of occupancy of part of an existing dwelling, to business use (Funeral Director's Office); premises 2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx.

Appeal from Administrative Decision.

542-42-A—2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 1, 1942, 2 P. M.

Appeals from Administrative Decisions.

407-42-A—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

447-42-A—510 Dahill road, west side, 60 ft. south of 40th street (Block No. 5382, Lot No. 26), Borough of Brooklyn.

720-42-A—92-96 Clifton place, south side, 175 ft. west of Classon avenue (Block No. 1952, Lot Nos. 25, 26 and 27), Borough of Brooklyn.

744-42-A—71 Taaffe place, east side, 132 ft. 11 in. north of Park avenue (Block No. 1883, Lot No. 7), Borough of Brooklyn.

Appliances and Materials for Approval.

715-39-SA—Carrier Cold Diffusers, Types 1400, 1815G, 15J, 15K, 15M, 15Q, 15T and 39K.

414-42-SA—Robins Steam or Air Atomizing Burner (for owner's use only).

555-42-SA—Mills Coin Controlled Bottle Vendor, Model 45, 47, 47A, 47B, 47N, 66, 96, 98 and 98A.

1002-39-SM—Perfection Joint Cover (for protection of Horizontal Stone Joints).

330-41-SM—Croton Flameproofing Compound (CFP)

DECEMBER 4, 1942, 10:30 A. M.

Rules.

835-38-SR—Proposed Amendments to Rules Relative to Submerged Inlets and Protective Methods to be applied to prevent Contamination of Water Supply.

(For Copy of Proposed Amendments, see Bulletin of November 10, 1942, Vol. 27, No. 45.)

DECEMBER 15, 1942, 10 A. M.

Zoning Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, December 15, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan*, on the following matter:

987-41-BZ—Application, November 14, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewer, applicant, on behalf of The Texas Company, owner, to permit in a business use district, the reconstruction of and erection of a new accessory building upon an existing gasoline service station; premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

Appeal from Administrative Decision.

792-42-A—796-804 Utica avenue and 736-746 Linden boulevard, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn, Misc. 8575-41.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, NOVEMBER 17, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, November 10, 1942, and Tuesday afternoon, November 10, 1942, were approved as printed in Bulletin No. 46, Vol. 27.

ZONING CASES.

95-40-BZ.

APPLICANT—Victor L. Weil, for Forty Central Park South, Incorporated, owner.

SUBJECT—Application reopened November 18, 1941 re (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a retail use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41 West 58th street, north side, 120 ft. east of Sixth avenue (Block No. 1274, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and V. L. Weil.

For Opposition: R. J. Stark.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 1, 1942 at 10 A. M., for inspection by a committee of the Board. No further argument.

987-41-BZ.

APPLICANT—Louis A. Kiesewetter, for The Texas Company, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station.

PREMISES AFFECTED—736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: Benjamin Silver, Harry Broder, Ida Putterman and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 15, 1942 at 10 A. M. for further consideration by the Board. Applicant to file revised plans.

215-42-BZ.

APPLICANT—John C. Wandell, for Society of St. Vincent de Paul, owner (Arthur Stevenson, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—8101-8111 Third avenue and 302-312 81st street, southeast corner (Block No. 5997, Lot Nos. 7 and 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: John C. Wandell.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 1, 1942 at 10 A. M. for inspection by a committee of the Board. No further argument.

607-42-BZ.

APPLICANT—J. M. Berlinger, for Janetta Whitridge, Mary Whitehouse and Harriet Aldrich, owners.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: J. M. Berlinger.

For Opposition: R. J. Stark and Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 1, 1942 at 10 A. M. for decision without further argument.

610-42-BZ.

APPLICANT—Mac L. Reiser, for Mary and Philip Oginsky, owners (Martha Kozak, lessee).

SUBJECT—Application (re decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a residence use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—336-338 (340 displayed) New Jersey avenue, west side, 125 ft. north of Belmont avenue (Block No. 3738, Lot Nos. 30 and 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mae L. Reiser.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 1, 1942 at 10 A. M. for inspection by a committee of the and for further consideration by the Board.

539-42-BZ.

APPLICANT—Edwin H. Thacher, for Polytechnic Institute of Brooklyn, owner.

SUBJECT—Application re (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—244-266 4th street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-399 Fifth street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

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256-42-BZ.

APPLICANT—Jack Z. Cohen, for Handalsons Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district and also G area district, the conversion of occupancy of a one (1) family dwelling to a two (2) family dwelling.

PREMISES AFFECTED—665 East 17th street, east side, 156 ft. $\frac{7}{8}$ in. south of Foster avenue (Block No. 5238, Lot No. 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer and George Handal.
For Opposition: David Siegelman, Clarence G. Bachrach, Harold Eakins and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (256-42-BZ)

WHEREAS, Jack Z. Cohen, for Handalsons Realty Corporation, owner, filed March 27, 1942, an application under section 21 of the zoning resolution, to permit in a residence use and also G area district, the conversion of occupancy of a one-family dwelling to a two (2) family dwelling; premises 665 East 17th street, east side, 156 ft. $\frac{7}{8}$ in. south of Foster avenue (Block No. 5238, Lot No. 31), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 17, 1942 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that East 17th and East 18th streets are in a residence use and also "G" and "C" area district; and Foster avenue is in a residence and business use and also "G" and "C" area district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 5241-41, dated March 25, 1942, reads:

"1. Converting and increasing occupancy of existing one family dwelling to a two family dwelling within a residential G district is contrary to Art. 2, Sec. 16-B of the Zoning Resolution."

and

WHEREAS, the applicant states that the existing building is of Class 4 construction, two stories and attic in height; having a frontage of 32 ft. and a depth of 47 ft. and that it is proposed to convert and to increase the occupancy of the existing one-family dwelling to a two (2) family dwelling; and

WHEREAS, the building was subject to a modification granted on February 6, 1940 as to number of rooms under Calendar No. 39-40-A on condition that the building should be occupied by one family only and no representation was made that the building was proposed to be occupied otherwise; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the zoning resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 5241-41, objection No. 1, be and it hereby is affirmed and that the application be and it hereby is denied.

651-42-BZ.

APPLICANT—John J. Morro, for Paragon Oil Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the extension of a gasoline service station.

PREMISES AFFECTED—2458-2470 Cropsey avenue, northwest corner of Bay 38th street (unopened); (Block No. 6928, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Morro.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem and Morris Hannes, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (651-42-BZ)

WHEREAS, John J. Morro, for Paragon Oil Company, Inc., owner, filed September 2, 1942, an application under section 7c of the zoning resolution, to permit in a residence use district, the extension of a gasoline service station; premises 2458-2470 Cropsey avenue, northwest corner of Bay 38th street (unopened); (Block No. 6928, Lot No. 50), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 17, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Cropsey avenue, Harway avenue and Bay 38th street and Circumferential parkway, are each in a residence use district; and

WHEREAS, the decision of the borough superintendent on B. N. Applic. No. 1573-42, dated September 1, 1942, reads:

"Increasing area of gasoline station within a residential use district is contrary to Art. 2, Sec. 3 of the zoning resolution."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 173 ft. on Cropsey avenue and a depth of approximately 223 ft.; that the rear part of the plot, 140 ft. by 100 ft. in area, is used as a gasoline service station; that it is proposed to extend the area of the gasoline service station, by using part of the Cropsey avenue area of the plot as entrances to and exits from the existing gasoline service station; and

WHEREAS, these premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7c subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals do hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted, under section 7c thereof to permit the premises covered by this application, with a frontage of approximately 113 ft. along Cropsey avenue north of the line of Bay 38th street, as shown on the site map, and for a depth of 100 ft. westerly from Cropsey avenue, to be occupied as proposed, as indicated on revised plans marked "Received November 13, 1942", as a driveway entrance to the existing gasoline service station, erected west of the premises as hereinabove defined, on condition that such premises shall be occupied only as a driveway, as indicated on such revised plans marked "Received November 13, 1942," approximately 43 ft. in width; that such driveway within curbs shall be adequately surfaced with suitable material that is reasonably impervious, and that the balance of the premises shall be used for no other purpose, but shall be planted with grass and shrubs and kept in a neat and presentable condition at all times, and that no signs shall be erected thereon; that all existing fences and structures within this portion of the plot and within the bed of mapped Bay 38th street within 100 feet of Cropsey avenue, shall be removed, as proposed; that as a condition of this grant, the existing signs on the fence on the west

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erly side of the Circumferential parkway, now having a sign advertising the Paragon Oil Products, and being 212 ft. in length, shall be removed, and the fence repainted, and no signs erected thereon, except a sign toward the center facing the parkway, not exceeding 8 ft. in width and 6 ft. in height, advertising Paragon products; that the color of painting of such fence shall be as approved by the Park Department; that such sign shall not be illuminated; that this variance is for a term of two (2) years or until such time as the Board approves an application that the applicant states will be filed for reconstruction and improvement of the premises occupied by the gasoline station between the portion of the premises covered by this variance and the Circumferential parkway; that in all other respects the building and occupancy of the plot, 223 ft. in depth, shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

792-42-A.

APPLICANT—Louis A. Kiesewetter, for The Texas Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 15, 1942 at 10 A. M. for further consideration by the Board.

440-42-A.

APPLICANT—Carroll Blake, Borough Superintendent, Dept. of Housing and Buildings, Brooklyn.

OWNER OF PREMISES—Paragon Oil Company, Inc., owner.

SUBJECT—Application for revocation of Certificate of Occupancy, No. 81089-37, N. B. Applic. 5620-34, 7436-36 and Permit No. 6544-34.

PREMISES AFFECTED—2462-2470 (2434-2442 displayed) Cropsey avenue, west side, between Bay 37th street, and Bay 38th street (Block No. 6928, Lot No. 1; Block No. 6942, Lot No. 93 and Block No. 6946, Lot No. 377), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Hannes.

For Opposition: John J. Morro.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted, Certificate of Occupancy No. 81089-37 revoked.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (440-42-A)

WHEREAS, Carroll Blake, Borough Superintendent, Dept. of Housing and Buildings, Brooklyn, filed on May 28, 1942, an application to revoke Certificate of Occupancy No. 81089, New Bldg. Applic. 5620-34, N. B. Applic. 74636-36 and Permit No. 6544-34, premises 2462-2470 (official) (2434-2442 displayed) Cropsey avenue, west side, between Bay 37th street and Bay 38th street (Block No. 6928, Lot No. 1; Block No. 6942, Lot No. 93 and Block No. 6946, Lot No. 377), Borough of Brooklyn; and

WHEREAS, Certificate of Occupancy 81089, issued February 6, 1937, on Permit No. 6544-34, permitted the use of the premises for the bulk storage of gasoline and oils in eight 32,400 gallon tanks buried under ground in concrete; and

WHEREAS, the applicant states that the premises consist of a lot 175 ft. by 2,573 ft., irregular in area; located in residence and unrestricted use districts; occupied for the bulk storage of gasoline and oil in eight (8) tanks of 32,400 gallons each; and

WHEREAS, the applicant contends that this is an application to revoke Certificate of Occupancy No. 81089, dated February 6, 1937 and the accompanying Permit No. 6544-34 issued as a result of approved Application No. 5620 on July 19, 1934 for premises 2462-2470 (official), 2434-2442 (displayed) Cropsey avenue on the west side, between Bay 37th and Bay 38th streets; that the application was filed May 15, 1934, 'to bury underground and encased in 12" concrete, 26 steel tanks, encased in concrete for the bulk storage of gasoline and oil', that the premises at that time along Cropsey avenue and extending 100 ft. westerly were located in a business use district and that portion beyond 100 ft. and extending to Gravesend Bay, were located in an unrestricted use district; that these premises were designated as Block 6928, Lot 1; Block 6942, Lot 93, Block 6946, Lot 377; that the approved plan No. 5620, dated July 19, 1934, Permit No. 6544-34, shows these bulk storage oil tanks to be located at the westerly portion of this plot from the center line of the mapped street of Hunter avenue (not legally opened) and extending to Gravesend Bay; that no portion of these premises located within 100 ft. and parallel with Cropsey avenue, was shown to be used for the storage of bulk oil; that there were five one family frame dwellings and private garages shown within the 100 ft. of Cropsey avenue; that section 4a, subdivision 26, prohibits the petroleum, refining or storage in a business use district; that Certificate of Occupancy No. 81089 was issued February 6, 1937 for premises 2434-42 (displayed), 2462-70 (official) Cropsey avenue, west side, between Bay 37th and Bay 38th streets for Block 6928, Lot 1; Block 6942, Lot 93; Block 6946, Lot 377 for bulk storage of gasoline and oil, eight tanks, 32,400 gallons each; that this certificate was issued in error and should have excluded that portion along Cropsey avenue and extending 100 ft. west of Cropsey avenue and was contrary to sec. 35, General City Law; that accordingly, Certificate of Occupancy No. 81089 dated February 6, 1937 and the accompanying Permit No. 6544-34 and N. B. Application No. 5620-34 should be revoked.

Resolved, that the appeal be and it hereby is *granted*, revoking Certificate of Occupancy No. 81089, *on condition* approval of plans and permits shall be amended, so as to be in compliance with the zoning requirements as of the date that the permits were issued, and on the *further condition* that the requirements of the resolution adopted this day under Cal. No. 651-42-BZ shall be complied with.

Adjourned: 12:20 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 17, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

ZONING CASES.

140-42-BZ.

APPLICANT—Anthony M. De Rose, for Anton Escherich, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision

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of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the erection and maintenance of a six (6) car garage on the same plot with an existing four (4) car garage.

PREMISES AFFECTED—2851-2853 Bailey avenue, west side, 498 ft. south of West 230th street (Block No. 3264, Lot No. 63), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. De Rose.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

1182-39-BZ.

APPLICANT—Abraham Rubinstein, lessee, for Post Sherman Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx.

APPEARANCES—

For Applicant: Meyer Stein.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (1182-39-BZ)

WHEREAS, Henry Nordheim, for Post Sherman Corporation, owner, filed September 26, 1939, an application, under section 7h of the zoning resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles; premises 1231 Boscobel avenue, west side, 100 ft. north of Jerome avenue (Block No. 2506, Lot No. 58), Borough of The Bronx; and

WHEREAS, this application was granted by the Board on November 26, 1940, on certain conditions and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 26, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

“* * * *Granted* under section 7h for a term of two (2) years from the date of this *amended* resolution
* * *”

1289-39-BZ.

APPLICANT—Mr. Philip Schlissel, for Charles Gomes, lessee, for Port of New York Authority, owner.

SUBJECT—Application for consideration—reopening and extension of permit re Application (decision of the borough superintendent) under section 7h of the zoning resolution, permitting in a retail use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Philip Schlissel and Charles Gomes.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (1289-39-BZ)

WHEREAS, Charles Gomes (lessee), for Port of New York Authority, owner, filed October 17, 1939, an application under section 7h of the zoning resolution, to permit in a retail use district the parking and storage of more than five (5) motor vehicles; premises 423-425 West 35th street, northeast corner of Dyer avenue (Block No. 733, Lot Nos. 21 and 22), Borough of Manhattan; and

WHEREAS, this application was granted by the Board on November 13, 1940, on certain conditions and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 13, 1940, only so far as it has reference to the term of this permit, so that as amended this portion of the resolution shall read:

“* * * *Granted* under section 7h therefor for a term of two (2) years from the date of this *amended* resolution, to permit * * *.”

APPEALS FROM ADMINISTRATIVE DECISIONS.

720-42-A.

APPLICANT—Gluckson Wool Stock Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—92-96 Clifton place, south side, 175 ft. west of Classon avenue (Block No. 1952, Lot Nos. 25, 26 and 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum, Jacob Gluckson and Jos. A. Boccia.

For Administrator: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to December 1, 1942 at 2 P.M. pending an inspection by a committee of the Board.

744-42-A.

APPLICANT—David Millman for S. Millman and Son for Joseph Pannullo, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—71 Taaffe place, east side, 132 ft. 11 in. north of Park avenue (Block No. 1883, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 1, 1942 at 2 P.M., pending an inspection by a committee of the Board.

796-42-A.

APPLICANT—S. Walter Katz for Beatrice Shankman owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—101 Greene street, west side, 244 ft. 10 in. north of Spring street (Block No. 500, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: John Leonard and Sam Krinsky.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 24, 1942 at 2 P.M., for further consideration by the Board.

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97-42-A.

APPLICANT—Daniels and Kennedy, Inc., lessee, for Arbuckle Brothers, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—20-40 Jay street, southwest corner of John street, entire block bounded by Jay street, John street, Pearl street and Plymouth street (Block No. 19, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank J. Hagen, Milton Brown, Oswald Alvaranza and O. A. Brown.

For Administration: Louis R. Forman and Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to November 24, 1942 at 2 P.M., pending on inspection by a committee of the Board.

82-42-A.

APPLICANT—William R. Moller, for Manufacturers Trust Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—35-45 Beaver street, northeast corner of Broad street (Block No. 25, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

60-42-A.

APPLICANT—Shreve, Lamb and Harmon, Harrison and Foulhoux, Associated Architects, for The Interfaith House at Hunter College Association, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—47-49 East 65th street, north side, 134 ft. west of Park avenue (Block No. 1380, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: A. L. Harmon.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

84-42-S.

APPLICANT—Frank C. Keller, for Ford Instrument Company, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—32-36 to 32-46 47th avenue, south side, from 32nd place to 33rd street (Block No. 252, Lot Nos. 1 and 17), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (484-42-S)

WHEREAS, Frank C. Keller, for Ford Instrument Company, owner, filed June 17, 1942, an application for a variation of the Labor Law, as cited in an order and decision of the fire commissioner, premises 32-36 to 32-46 47th avenue, south side, 32nd place to 33rd street (Block No. 252, Lots 1 and 17), Long Island City, Borough of Queens; and

WHEREAS, Order No. 8386-LF of the Fire Commissioner, issued March 26, 1942, reads:

"1. Arrange all exit doors to all stories so same can be opened from both sides. Section 272 of Labor Law.

2. Arrange screens on all windows on all stories so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress as per Section 272 of the Labor Law."

and

WHEREAS, the above order was referred to in a decision of the Fire Commissioner dated June 15, 1942; and

WHEREAS, the applicant states that the building is 4 stories and penthouse (83 ft. 9¾ in.) in height, 200 ft. by 290 ft. in area; Class 1 construction; located in an unrestricted use district; erected in 1922, 1933 and 1940; used and occupied as follows: 1st floor, factory, 715 persons; 2nd floor, factory, 627 persons; 3rd floor, office and factory, 320 persons; 4th floor, factory, 398 persons; 5th floor, penthouse, used for testing, 8 persons; proposed to be occupied: 1st floor, same, 1079 persons; 2nd floor, factory, 557 persons; 3rd floor, office and factory, 392 persons; 4th floor, office and factory, 305 persons; penthouse, testing, 92 persons, which occupancy has been approved by the Borough Supt. on Sept. 22, 1942 under amendment to Alt. Applic. 2980-39, but no certificate of occupancy has been issued to supersede existing certificate of occupancy No. Q14518 issued October 2, 1940, permitting the occupancy of the first floor for 305 persons, 2nd, 525; 3d, 260; 4th, 110; that the building is equipped with sprinkler, standpipe and interior alarm system; that there are six interior 46 in. fireproof stairs leading from roof to street; and

WHEREAS, the applicant contends that all doors leading to the stair halls shall be left open during working hours, except the doors leading direct to street; that all of these doors will be equipped with panic bolts of the type approved by the Board and so arranged as to prevent ingress from the street, in accordance with an order received from the Army and Navy Departments and that the locked screens are located on the street floors and these screens can be readily unlocked in case of emergency by one of the watchmen who is on duty 24 hours a day; that these screens were installed by order of the Army and Navy Departments to prevent sabotage; and

WHEREAS, the applicant has filed copy of a communication from the New York Ordinance Department of the War Department, requiring the installation of panic bolts and locks on all window screens.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in an order of the fire commissioner on Order No. 8386-LF, and that the application be and it hereby is *granted* as to Item 1, *on condition* that all exit doors at stories leading directly to street shall be equipped with approved panic bolts, so that the doors may be readily openable at all times from the interior and that on at least one door leading to each street, there shall be a bell or gong on the outside; as to Item No. 2, that screens as proposed, may be maintained on such windows as are indicated, at street grade, provided such screens are attached as proposed, so that in the event of emergency, the screens could be pried open; that this variation shall continue only during the present emergency; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. No. 485-42-A.

MINUTES

485-42-A.

APPLICANT—Frank C. Keller, for Ford Instrument Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—32-36 to 32-46 47th avenue, south side, from 32nd place to 33rd street (Block No. 252, Lot Nos. 1 and 17), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Thomas A. Larkin and Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (485-42-A)

WHEREAS, Frank C. Keller, for Ford Instrument Company, owner, filed on June 17, 1942 an appeal from an order and decision of the fire commissioner affecting premises 32-36 to 32-46 47th avenue, south side, between 32nd place and 33rd street (Block No. 252, Lot Nos. 1 and 17), Long Island City, Borough of Queens; and

WHEREAS, Order No. 90785-C issued by the fire commissioner March 23, 1942 and repeated in a decision of the fire commissioner dated June 15, 1942 reads:

"7. Provide a window in oil storage room. Opening to outer air. Window opening shall be fire-proofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 in. in diameter. C19-11.0, Adm. Code.

8. Provide 12 metal sand pails of at least 10 quarts capacity. (6 in spray material storage room, 6 in oil storage room.) Pails to be painted red and marked FIRE with letters not less than two and one-half inches in height. Pails to be kept full of clean sand, same not to be used for any other purpose. Placed on permanent shelves, hooks or racks, same to be not less than two feet nor more than four and one-half feet above the floor. C19-10, Adm. Code.

14. Provide a total of 17 metal sand pails of at least 10 quarts capacity (2 in hand painting room, 2nd story, 6 where Deobase is used, 2nd story, 6 where motors, etc., are dipped, 3rd story, 3 in laboratory, 4th story). Pails to be painted red and marked FIRE with letters not less than two and one-half inches in height. Pails to be kept full of clean sand, same not to be used for any other purpose. Placed on permanent shelves, hooks or racks, same to be not less than two feet nor more than four and one-half feet above the floor. C19-10, Adm. Code."

and

WHEREAS, Order No. 8386-LF issued by the fire commissioner March 26, 1942 and referred to in a decision of the fire commissioner dated June 15, 1942 reads:

"7. Provide 30 approved water buckets on each of the 1st, basement, 2nd and 3rd floors, and 4th floors of at least ten quarts capacity. Note: Buckets to be marked FIRE with letters not less than 2½ in. in height, kept full of clean water and not to be used for any other purpose. Buckets to be placed on permanent shelves, hooks or racks, same to be not less than two feet nor more than four and one-half feet above the floor. Section C19-161.0, Adm. Code."

and

WHEREAS, the applicant states that the building is 4 stories, and penthouse (83 ft. 9¾ in.) in height, 200 ft. by 290 ft. in area, of class 1 construction, equipped with sprinkler and standpipe systems, located in an unrestricted use district, erected in 1922, 1933 and 1940 and occupied: cellar—factory—479 persons; 1st floor—factory—453 per-

sons; 2nd floor—office and factory—236 persons; 3rd floor—office and factory—238 persons; penthouse—testing—8 persons; proposed to be occupied: cellar—same—1079 persons; 1st floor—same—557 persons; 2nd floor—same—392 persons; 3rd floor—same—305 persons; penthouse—same—0 persons which occupancy was approved by the borough superintendent under Alt. Applic. No. 2980-39; and

WHEREAS, the applicant contends as to Item 7, of Order No. 90785-C, that the skylight as existing in the area affected supplies sufficient ventilation and it is requested that the skylight be accepted in lieu of the window required by the fire commissioner; and

WHEREAS, the applicant contends as to Items 8 and 14 of Order No. 90785-C and Item 7, of Order No. 8386-LF that the Army and Navy Departments have ordered that all sand and water buckets be eliminated as both the machinery and highly delicate instruments can easily be sabotaged with sand and water; that it is proposed to install 15 lb. CO₂ extinguishers through the building and soda and acid extinguishers in the carpenter's shop in such quantities as are required by the fire commissioner or as recommended by the National Board of Fire Underwriters in their last issued catalogue; and

WHEREAS, the applicant has filed a copy of the recommendation of the War Department with respect to the Items herein appealed, wherein it is recommended that no additional ventilation should be required in connection with Item 7 of order 90785-C and wherein it is also required that one 15 lb. CO₂ extinguisher be provided for each 2,500 sq. ft. of floor area on each floor in each plant, in addition to those already provided or specifically recommended at other points.

Resolved, that the orders of the fire commissioner, Order No. 90785-C and Order No. 8386-LF, be and hereby are modified and that the appeal be and it hereby is granted as to Item 7 of Order No. 90785-C on condition that the existing ventilating roof skylight may be accepted in lieu of the window opening required; that such ventilating skylight shall be equipped with fixed louvres opened at all times; as to Items 8 and 14 of Order No. 90785-C and Item 7 of Order No. 8386-LF, on condition that in lieu of the sand pails and water buckets required, there shall be installed and maintained on the premises such CO₂ extinguishers throughout the building and such soda and acid extinguishers in the carpenter shop on the first floor as the fire commissioner shall require; that there shall be at least one 15 lb. CO₂ extinguisher provided for each 2,500 sq. ft. of floor area; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. No. 484-42-S; that all other items of Orders No. 90785-C and 8386-LF shall be complied with as modified as to Items 1 and 2 of Order No. 8386-LF by the Board under Cal. No. 484-42-S.

643-42-A.

APPLICANT—Atlantic Basin Iron Works, lessee, for U. S. Navy (Bureau of Ships), owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Foot of Conover street, 20 west of Reid street, Pier No. 44, East River (Block No. 595, Lot No. None), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. A. Roome and J. W. Junger, U. S. Navy.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

MINUTES

THE RESOLUTION (643-42-A)

WHEREAS, Atlantic Basin Iron Works, lessee, for U. S. Navy (Bureau of Ships), owner, filed on August 31, 1942 an appeal from an order of the fire commissioner affecting Pier 44, foot of Conover street, 20 ft. west of Reid street, East River (Block No. 595), Borough of Brooklyn; and

WHEREAS, order No. 8857-LF issued by the fire commissioner May 28, 1942 reads:

"11. Provide a curtain of incombustible material across the pier at intervals of 100 ft. and extending approximately from the level of the top any side doors to the underside of the roof. Section C19-161.0, Adm. Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 31, 1942; and

WHEREAS, the applicant states that the building is one story (33 ft.) in height, 91 ft. by 560 ft. in area, of class 4 construction, equipped with a sprinkler system and a standpipe system, erected in 1917, located in an unrestricted use district and used for the repair and fitting of ships; and

WHEREAS, the applicant contends that a 24 hour police and fire guard and the usual Army, Navy and Coast Guard supervision has been provided since the acquisition of the pier by the U. S. Navy; that in addition to the required standpipe and sprinkler systems, the Navy has installed a 4 in. standpipe fire line with river suction supplied by a four stage centrifugal pump at 1,000 gallons per minute at 125 lbs. pressure; that the sprinkler system was originally approved when installed with three dry pipe valves spaced with incombustible curtain boards, at intervals of 180, 180 and 200 ft., with a total of 560 standard heads; that if the order should have to be complied with, it would seriously impede the work now being done on this pier for the Navy and Army transport service and would require the use of critical materials; and

WHEREAS, the applicant states that the curtains are constructed of corrugated iron down to the head of the side doors and are maintained in good tight condition.

Resolved, that the order of the fire commissioner, Order No. 8857-LF, Item No. 11, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the curtains as now located, shall be maintained; that the sprinkler and standpipe systems shall be maintained to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

596-42-A.

APPLICANT—Koch and Wagner, for H. C. Bohack Company, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—48-01 to 50-21 Metropolitan avenue, northwest corner of Flushing avenue (Block No. 2611, Lot No. 165, Block No. 2624, Lot No. 54, Block No. 2623, Lot No. 49 and Block No. 2625, Lot No. 25), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Arthur R. Koch and Harry L. Yokel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (696-42-A)

WHEREAS, Koch and Wagner, for H. C. Bohack Company, Inc., owner, filed on September 24, 1942, an appeal from a decision of the borough superintendent, affecting

premises 48-01 to 50-21 Metropolitan avenue, northwest corner of Flushing avenue (Block No. 2611, Lot No. 165, Block No. 2624, Lot No. 54, Block No. 2623, Lot No. 49 and Block No. 2625, Lot 25), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated August 28, 1942, on Misc. Applic. No. 4629-42, reconsideration denied September 24, 1942, reads:

"3. Proposed hook up to existing system appears contrary to the Fuel Oil Rules of Board of Standards and Appeals."

and

WHEREAS, the applicant states that the plot is 961 ft. 2 in. by 953.31 ft., irregular in area; occupied throughout for warehouse, boiler room and offices since 1941; and

WHEREAS, it is proposed to use two existing 10,000 gallon buried storage tanks, which were approved for gasoline storage under Permit No. 1781-23 by the Fire Department, for the emergency storage of reserve fuel oil, as indicated on plans filed with the borough superintendent; and

WHEREAS, the applicant contends that it is not proposed to feed the burners direct from the tanks in question, but to pump the fuel oil to existing 20,000 gallon tank only in an emergency when delivery cannot be made direct to the 20,000 gallon tank; that the existing 20,000 gallon fuel oil tank is now equipped with separate fill line, fill box, etc. as required by the Oil Burner Rules; that the existing 10,000 gallon gasoline tanks have been drilled and were found to be 5/16 in. thick and in all other respects, comply with Rule 6, Section 6.2 of the Oil Burner Rules of the Board of Standards and Appeals.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 4629-42, Objection No. 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the tanks shall be maintained as proposed for storage of fuel only and shall be subjected to a test as required under the Oil Burner Rules, Rule No. 10.3.2.2; that the piping, fill boxes, separate pump and other equipment, other than the construction of the tanks themselves, shall comply with the Oil Burner Rules of the Board; and *granted* only so long as the tanks are used as proposed for reserve storage of fuel.

752-42-A.

APPLICANT—Otto H. Spin, for Consolidated Edison Company of New York, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—48-12 Grand avenue, south side, 41.1 ft. west of 49th street (Block No. 2612, part of Lot No. 1; Block No. 2613, part of Lot Nos. 37, 45 and 48; Block No. 2625, Lot No. 1 and Block No. 2642, Lot No. 105), Maspeth, Borough of Queens (under section 35, General City Law—red bed of mapped streets—49th and 50th streets).

APPEARANCES—

For Applicant: Otto H. Spin.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (752-42-A)

WHEREAS, Otto H. Spin, for Consolidated Edison Company of New York, Incorporated, owner, filed on October 26, 1942, an application pursuant to section 35 of the General City Law, for permission to erect structures in the bed of mapped streets, 49th street and 50th street, affecting premises 48-12 Grand avenue, south side, 41.1 west of 49th street (Block No. 2612, Lot No. 1; Block No. 2613, part of Lot Nos. 37, 45 and 48; Block No. 2625, Lot No. 1;

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Block No. 2642, Lot No. 105), Maspeth, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated October 19, 1942 on Misc. Applic. No. 5058-42 reads:

"6. Secure an approval by the Board of Standards and Appeals for the erection of a structure on a mapped city street (Sec. 35, Art. 3, General City Law)." and

WHEREAS, the applicant states that the premises consist of a private right of way fronting 43.24 ft. on the south side of Grand avenue running thence in a southeasterly direction for a distance of 830.51 ft. irregular in area, upon which it is proposed to erect three metal transmission towers, two of which will be 91 ft. in height and one 97 ft. in height; that two of these towers, Nos. S22B and S20B will be located in the beds of mapped streets, as indicated on diagram filed with this appeal marked "Received October 26, 1942 and as detailed on diagram filed with this appeal marked "Received October 28, 1942"; and

WHEREAS, the applicant contends that these mapped streets are privately owned with no visible sign of being used either as private or city streets; that due to the present emergency, it is very remote that the city will purchase this property and open the streets for public use, at least not until after the war; that the proposed towers will be so located to supply electric power to the aluminum plant north of Grand avenue over the shortest possible way, in order to save vital material and time; that the proposed towers are located so as to cover the shortest possible run and to use the minimum number of towers.

Resolved, that the decision of the borough superintendent, on Misc. Applic. No. 5058-42, objection No. 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted* under the authority granted the Board under Section 35 of the General City Law, *on condition* that the structures for supporting power cables shall be constructed substantially as indicated on plans filed with this appeal, and in the location as shown; that, in the event the City of New York decides to acquire the property as now shown on the City Map, for street purposes, such structures shall be removed by the company at their expense without any claim therefor other than for the land itself within the bed of the proposed streets, and on condition that all required franchises shall be obtained and all laws, rules and regulations relative to the installation shall be complied with.

775-42-A.

APPLICANT—Brown and Matthews, Incorporated, for Defense Plant Corporation, owner (Edo Aircraft Corporation, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—109-15 14th avenue, north side, 200 ft. west of 111th street (Block No. 4031, Lot Nos. 1 and 25), College Point, Borough of Queens.

APPEARANCES—

For Applicant: Julius Eckman, David J. O'Brien and C. B. Carman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (775-42-A)

WHEREAS, Brown and Matthews, Inc. for Defense Plant Corporation, owner (Edo Aircraft Corporation, lessee), filed November 4, 1942, an appeal from a decision of the borough superintendent, affecting premises 109-15 14th avenue, north side, 200 ft. west of 111th street (Block No. 4031, Lot Nos. 1 and 25), College Point, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated October 21, 1942, on Alt. Applic. No. 242-42, reads:

"1. Omission of the fire wall between the old portion of the building and the new extension, is contrary to Sec. 4.2.1 of the Building Code, limiting the extent of a sprinklered non-fireproof floor area facing two streets."

and

WHEREAS, the applicant states that the building is two stories and mezzanine (25 ft.) in height; 300 ft. by 13 ft. in area; of Class 3 construction; equipped with sprinkler system; erected 1942; located in an unrestricted use district and used as follows: first floor, manufacturing and storage, 610 persons; mezzanine, toilets and offices, 13 persons; second floor, offices, 13 persons; and

WHEREAS, the applicant states that the existing building is 40,000 sq. ft. in area and the addition which is now being erected, and to which this appeal relates, is 29,100 sq. ft. in area; that a fire wall was designed between these two sections and foundations installed up to 6 in. below finished floor level, in anticipation of the future installation of this wall; that owing to the nature of the work and the size of the manufactured products, as the work progresses on the assembly line, the subdividing fire wall cannot be erected at this time; that the plant is operated for the manufacture of pontoons and engine cowls for Navy seaplanes and is under the control of the Defense Plant Corporation; that the installation of the fire wall at this time would interfere with the assembly line production; that the building is equipped with an automatic sprinkler system and the greatest portion of the building is only one story in height and that the owners have agreed to erect the required fire wall upon termination of the present National Emergency; and

WHEREAS, the buildings are located adjacent to the shoreline and have their own docks on the river where the former College Point Ferry was located; and

WHEREAS, the applicant states that New York fire boat with a draft of approximately 9 ft., could approach at low tide to within 75 ft. of the building; and

WHEREAS, the applicant states that they are about to install two supplementary tanks for water supply for sprinkler system consisting of tanks above grade and pump under an application filed with the Department; that the total capacity of such two tanks will be 150,000 gallons and that such tanks are expected to be installed before January 1, 1943.

Resolved, that the decision of the borough superintendent, Alt. Applic. No. 242-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* during the term of the present emergency *on condition* that promptly thereafter the wall shall be constructed to comply with all laws, rules and regulations applicable to the wall of the building and its occupancy; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. No. 127-42-A and Cal. No. 468-42-A; that the two source sprinkler system throughout the entire building shall be maintained in compliance with all requirements therefor, and to the satisfaction of the fire commissioner, and that such additional portable fire extinguishing appliances shall be maintained throughout the building as the fire commissioner shall direct.

644-42-A.

APPLICANT—Martyn N. Weinstein, for Brooklyn Jewish Home for Convalescents, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent; previously granted on condition.

PREMISES AFFECTED—601, 605 and 609 Beach 107th street, west side, 246.89 ft. south of Caffrey avenue (Block No. 111, Lot Nos. 20 and 3), Far Rockaway, Borough of Queens.

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APPEARANCES—

For Applicant: Martyn N. Weinstein.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4.

Negative: 0

THE RESOLUTION (644-42-A)

WHEREAS, Martyn N. Weinstein, for Brooklyn Jewish Home for Convalescents, owner, filed August 31, 1942, an appeal from a decision of the borough superintendent affecting premises 601-605 and 609 Beach 9th street, west side, 5.89 ft. south of Caffrey avenue (Block No. 111, Lot Nos. 1 and 3), Far Rockaway, Borough of Queens; and

WHEREAS, this appeal was granted by the Board on October 20, 1942 on certain conditions and applicant requested amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on October 20, 1942, in so far as it has reference to plans showing the secondary fire escapes, so that as amended, this portion of the resolution shall read:

"* * * that additional and secondary fire escapes from the upper floors shall be installed and maintained in accordance with revised plans marked 'Received October 20, 1942,' except that on the second floor of the main building, the window exit to fire escape shall be from the bathroom, and also the adjoining chamber, with exit signs over the doors to such rooms, and the locks on such doors removed. * * *"

APPLIANCE AND MATERIALS SUBMITTED FOR APPROVAL.

9-41-SM.

APPLICANT—The National Lime and Stone Company, owner.

SUBJECT—Monarch Hydrated Finishing Lime, Monarch Masons Lime and Monarch Brick Mortar, approval of.

APPEARANCES—

For Applicant: P. J. Carpenter.

ACTION OF BOARD—Laid over to November 24, 1942 at 2 P. M., at request of applicant.

800-39-SM.

APPLICANT—U. S. Gypsum Company, owner.

SUBJECT—U. S. Gypsum Company Gypsum Plaster, Red Top and Samson Brands (various names), approval of.

APPEARANCES—

For Applicant: Jas. J. Tynan.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (800-39-SM)

WHEREAS, the U. S. Gypsum Company, owner, filed on June 16, 1939, an application with the Board of Standards and Appeals for approval of the material known as U. S. Gypsum Plaster, Red Top and Samson Brands (various names); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 6, 1942.

Re: Cal. No. 800-39-SM.

Subject: U. S. Gypsum Co. Red Top and Samson Brands—Gypsum Cement Plasters, Wood Fibre Plasters, Prepared Sanded Plasters, Red Top Bondcrete, Prepared Gypsum Finishes, Acoustical Plasters and Special Finish (for listed names, see items 1 through 6 in the report)—Approval of.

The U. S. Gypsum Company of New York City filed on June 16, 1939 an application with the Board of Standards and Appeals for approval of Gypsum Plaster Red Top and Samson Brands under the pertinent provisions of the Administrative Building Code.

These materials are classified and marketed as follows:

1. Gypsum Cement Plasters
 - Red Top Cement Plaster
 - Red Top Ivory Cement Plaster
 - Red Top Kings Windsor Cement Plaster
 - Kings Windsor Cement Plaster
 - Ivory Cement Plaster
 - Set Fast Cement
 - and
 - Samson Cement Plaster—Distributed by Samson Plaster Board Co.
 - USG Set Fast Cement—Distributed by Samson Plaster Board Co.
2. Wood Fibre Plasters
 - Red Top Wood Fibre Plaster
 - Red Top Ivory Wood Fibre Plaster
 - Red Top Kings Windsor Wood Fibre Plaster
 - Kings Windsor Wood Fibre Plaster
 - Ivory Wood Fibre Plaster
 - and
 - Samson Wood Fibre Plaster—Distributed by Samson Plaster Board Co.
3. Prepared Sanded Plasters
 - Red Top Sanded Wood Fibre Plaster
 - Red Top Kings Windsor Sanded Wood Fibre Plaster
 - Red Top Ivory Sanded Wood Fibre Plaster
 - Kings Windsor Sanded Wood Fibre Plaster
 - Ivory Sanded Wood Fibre Plaster
 - Red Top Sanded Plaster
 - Red Top Kings Windsor Sanded Plaster
 - Red Top Sanded Plaster For Brick and Tile
 - Red Top Ivory Sanded Plaster
 - Kings Windsor Sanded Plaster
 - Ivory Sanded Plaster
 - Kings Windsor Brown Mortar
 - Kings Windsor Lath Mortar
 - and
 - Samson Sanded Plaster—Distributed by Samson Plaster Board Co.
 - Samson Sanded Wood Fibre Plaster—Distributed by Samson Plaster Board Co.
4. Red Top Bondcrete
 - and
 - U. S. G. Bondcrete—Distributed by Samson Plaster Board Co.
5. Prepared Gypsum Finished
 - (a) Trowel Finishes
 - Red Top Adamant White Trowel Finish
 - Red Top Universal White Trowel Finish
 - Red Top Caenstone Finish
 - Metropolitan Travertine Finish
 - and
 - Samson Ready Prepared Finish—Distributed by Samson Plaster Board Co.
 - (b) Sand Float Finishes
 - Red Top White Silica Sand Float Finish
 - and
 - Samson Silica Sand Float Finish—White or Grey—Distributed by Samson Plaster Board Co.

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- (c) Colored Finish Coat
 - Oriental Interior Trowel Finish
 - Oriental Interior Finish
 - Colored Interior Float Finish and
 - Samson Tinted Finishing Plaster—Distributed by Samson Plaster Board Co.
- (d) Gauging Plasters
 - Red Top Champion Gauging Plaster
 - Red Top NYC Mills Gauging Plaster
 - Red Top Kings Diamond Gauging Plaster
 - Red Top Star Gauging Plaster
 - Red Top Superfine Gauging Plaster
 - Red Top Superfine Finishing Plaster
 - and
 - Blue Valley Gauging Plaster—Distributed by Samson Plaster Board Co.
 - Samson Local Gauging Plaster—Distributed by Samson Plaster Board Co.
- (e) Keenes Cement Finishes
 - Red Top Scagliola Keenes Cement
 - Red Top Casting Keenes Cement
 - Red Top Quick Trowelling Keenes Cement
 - and
 - Samson Keenes Cement—Distributed by Samson Plaster Board Co.
- (f) Ornamental Plaster Work
 - Red Top #2 Moulding Plaster
 - Red Top Kings Diamond Moulding Plaster
 - Red Top Superfine Casting Plaster
 - and
 - Blue Valley Moulding Plaster—Distributed by Samson Plaster Board Co.
 - Samson Local Moulding Plaster—Distributed by Samson Plaster Board Co.
- 6. Acoustical Plasters and Special Finish
 - Sabinite 38
 - Sabinite A
 - Sabinite B
 - Sabinite F

Gypsum, a non-metallic mineral, which is the basis of all gypsum building products is known chemically as hydrous calcium sulphate. It is composed of one molecule of calcium sulphate and two molecules of water; hence, its chemical formula is $\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$.

Gypsum is either mined or quarried, depending upon the location of the rock with reference to the surface of the ground. Where it occurs sufficiently near the surface that the removal of the overburden is not excessive in cost, it is quarried. Where it occurs too deep for this procedure, economically, it is mined.

Gypsum is quarried or mined in relatively large pieces. It is reduced in size by passing through two stages of crushing, the primary crusher reducing it so that it will all pass through a five-inch ring, and the secondary crusher from dust to $\frac{5}{8}$ inch.

The conversion of gypsum to plaster is through calcination, that is, a process of dehydrating or removing a large part of the chemically combined water. Two types of calcination apparatus and processes are in general use and are commonly known as the kettle or batch process and the rotary kiln or continuous process. The calcination process removes approximately $1\frac{1}{2}$ parts of water leaving $\text{CaSO}_4 \cdot \frac{1}{2}\text{H}_2\text{O}$ which is the semi-hydrate known as calcined gypsum. After the gypsum has been calcined, it is placed in plaster storage bins and retained until such time as the ingredients and accelerators or retarders are added to make up the various types of plaster.

Wall plaster, commonly known as hardwall plaster, may be grouped into four classes: (1) Neat Gypsum Plaster—which contains calcined gypsum and retarder, with or without fiber; (2) wood-fibered plaster, which contained calcined gypsum, retarder and wood fiber; (3) prepared plaster which contains calcined gypsum, retarder, sand and fiber; and (4) finishing plaster,

which contains calcined gypsum, with or without retarder and with or without hydrated lime.

The process by which Keene's cement is produced is not dissimilar to the process used in the production of manufacture of gypsum plaster. In Keene's cement the rock is not ground before calcining and it is calcined at a much higher temperature so as to remove all of the chemically combined water forming an anhydrous calcined gypsum.

The various plasters are as follows:

1. GYPSUM CEMENT PLASTERS

A hydrous calcium sulphate, crushed, ground and calcined to produce a hemi-hydrate specially compounded to give properties of plasticity, workability and set control.

Set Fast Cement

Samson Cement Plaster

USG Set Fast Cement

A specially compounded unfibered cement plaster for use in laying up gypsum and clay tile. To this plaster is added three parts (by weight) of clean, sharp coarse sand.

2. WOOD FIBRE PLASTERS

A specially compounded hydrous calcium sulphate to which has been added not less than 1% of finely shredded wood fibre uniformly distributed.

3. PREPARED SANDED PLASTERS

A specially compounded hydrous calcium sulphate to which has been added approximately two parts of clean, sharp, silica sand to one part plaster.

Kings Windsor Brown Mortar

A specially compounded hydrous calcium sulphate for use in second coat application on any type of lath. Sand has been added to the material at the mill, and none should be added on the job.

Kings Windsor Lath Mortar

A specially compounded hydrous calcium sulphate for use in first coat application on any type of lath. Sand has been added to the material at the mill, and none should be added on the job.

4. RED TOP BONDCRETE AND U. S. G. BONDCRETE

A specially compounded hydrous calcium sulphate specifically for application over concrete surfaces. Any plaster finish can be used over Bondcrete or it may be troweled down to smooth finish omitting further finish coat.

5. PREPARED GYPSUM FINISHES

(a) TROWEL FINISHES

A ready mixed gypsum finishing plaster to which only water is added on the job.

Red Top Caenstone Finish

A no-lime formula finishing plaster the strength of which permits thick application and deepcut scoring to imitate facing slabs of Caen stone.

Metropolitan Travertine Finish

A mill-prepared gypsum finish of a special color for New York City market used in textured surface application.

and

Samson Ready Prepared Finish

(b) SAND FLOAT FINISHES

A ready mixed gypsum finishing plaster containing an aggregate of clean silica sand, properly graded, screened and thoroughly dried which permits a textured application.

(c) COLORED FINISH COATS

Oriental Interior Trowel Finish

A colored interior gypsum finish from which a smooth colored finished wall with semi-textured appearance is developed.

MINUTES

Oriental Interior Finish

A mill prepared colored gypsum finish for interior application where textured surfaces are desired.

Colored Interior Float Finish

A specially processed prepared gypsum finish for interior application where textured surface is desired.

and

Samson Tinted Finishing Plaster

(d) GAUGING PLASTERS

An unretarded hydrous calcium sulphate ground to a fineness to permit easy mixing with lime putty for use as a finish plaster. These plasters are made to set in thirty minutes or forty minutes.

(e) KEENES CEMENT FINISHES

Red Top Scagliola Keenes Cement

A very dense, hard, hydrous calcium sulphate specially made for use in the imitation of ornamental stone. This product has an initial set in three to six hours and a final set of fifteen to twenty hours.

Red Top Casting Keenes Cement

A very dense hard, hydrous calcium sulphate especially adapted to high class ornamental work with a setting time of not less than thirty minutes nor more than four hours.

Red Top Quick Troweling Keenes Cement

and

Samson Keenes Cement

A very dense hard, hydrous calcium sulphate expressly for use with lime putty for finish plaster. Setting time is within two hours.

(f) ORNAMENTAL PLASTER WORK

Red Top #2 Moulding Plaster

A hydrous calcium sulphate ground to a greater fineness than gauging plaster to insure better detail in moulding and casting work. Setting time is from sixteen to twenty minutes.

Red Top Kings Diamond Moulding Plaster

A hydrous calcium sulphate ground to a greater fineness than gauging plaster to insure better detail in moulding and casting work. Setting time is not less than thirty minutes.

Red Top Superfine Casting Plaster

and

Blue Valley Moulding Plaster

Samson Local Moulding Plaster

A hydrous calcium sulphate ground to a greater fineness than gauging plaster to insure better detail in moulding and casting work. Setting time is not less than thirty minutes.

6. ACOUSTICAL PLASTERS AND SPECIAL FINISH

A specially compounded hydrous calcium sulphate to which has been added inorganic aggregates properly graded and screened.

Sabimite 38

A specially compounded acoustical plaster where extreme humidity conditions prevail.

Tests

These materials were inspected and tested by the Committee on Tests of the Board at the plant of the U. S. Gypsum Company at Staten Island, New York, and samples taken and forwarded to Testing Laboratories. The results of these tests are as follows:
Sample of: Red Top Molding Plaster (U. S. Gypsum)
Tested by: Cornell University Testing Laboratory

Analysis

	A.S.T.M.	Found
	C-59-30	
CaSO ₄ ½H ₂ O	80% min.	97.4%

Physical Tests

Setting Time	20 min. min.	24 min.
	40 min. max.	

A.S.T.M.

C-59-30

Found

Tensile Strength	min. 200 lbs.	510 p.s.i.
Standard Briquets	p.s.i.	550
		550
		530
		550
		595

Average 547

Testing Consistency	107 ml. per
30 m. m. drop 50 g. wt...	100 gm.

The material complies with the specification requirements.

Sample of: Red Top Sanded Plaster (U. S. Gypsum)
Tested by: Cornell University Testing Laboratory

Analysis

Fed Spec.

SS-P-401

Type B

Found

CaSO ₄ ½H ₂ O content ...	15 per cent	28.9 per cent
Sand content, maximum..	75 per cent	53.5 per cent

Physical Tests

Setting time—min.	2.0 hours	5 hrs. 49 min.
max.....	6.0 hours	
Tensile strength—min. ..	50 lbs. p.s.i.	150 p.s.i.
		155
		160
		150
		145

Average 152

The material complies with the specification requirements.

Sample of: Red Top Gauging Plaster
Tested by: Pittsburgh Testing Laboratory

Fed. Spec. SS-G-901

Grade 2 unretarded

Min. 60.5%

CaSO ₄ ½H ₂ O	97.0%
Tensile Strength	445 lbs./sq. in.
	440
	460
	455
	445

Average 449

Min. 200 lbs./sq. in.

Compressive Strength	3100 lbs./sq. in.
	3000
	2900
	3050
	2900

Average 2990

Min. 1000 lbs./sq. in.

Fineness	
% passing #14 Sieve	100.0% 100%
% passing #100 Sieve	90.0% 40.—75%
Time of Set	16 min. 10—40 min.

This meets the requirements of Fed. Spec. SS-G-901, Grade 2, except for the amount passing #100 sieve.

Sample of: Wood Fiber Plaster (Red Top Wood Fiber Plaster)

Tested by: Cornell University Testing Laboratory

Analysis

Fed. Spec.

SS-P-401

Found

CaSO ₄ ½H ₂ O minimum..	60.5%	87.3%
Wood Fiber Content	1.0 min.	1.01%

Physical Test

Setting Time	8 hrs. max.	
	1.5 min.	2 hrs. 20 min.

MINUTES

	Fed. Spec. SS-P-401	Found
Tensile Strength		
Lbs. per sq. in.	125 lbs. min.	330 p.s.i. 390 415 370 390 365
		Average 376
Consistency		140 ml. per
1/2" slump 2" x 4" cyl. . .		100 gm.
The material complies with the specification requirements.		
Test of: Calcined Gypsum (Gauging Plaster) .		
Type: Grade 1		
Tested by: Pittsburgh Testing Laboratory		

	Results	Fed. Spec. SS-G-901
CaSO ₄ ·1/2H ₂ O	85.38%	Min. 60.50%
Fineness:		
Passing 14 mesh.....	100.00%	100.00%
Passing 100 mesh.....	77.36%	Min. 75.00%
Tensile Strength		
Lbs. per sq. in.	250 275 245 250 265	
	Average 257	
Compressive Strength		
2x2" Cubes		
Lbs. per sq. in.	2125 2000 2188 2062 2200	
	Average 2115	

Setting TimeSatisfactory
 "The above results comply with specification requirements."
 Sample of: Keene's Cement (Red Top Keene's Cement)
 Tested by: Cornell University Testing Laboratory

	Fed. Spec. SS-C-161	Found
Chemical Composition		
Combined Water	2% maximum	0.5%
Physical Test		
Setting Time	1 hr. min. 4 hrs. max.	50 min.
Tensile Strength	min. 400 lbs. per sq. in.	520 p.s.i. 550 550 530 505
		Average 532
Sieve Analysis		
Passing #40 sieve	min. 98%	99.75%
Passing #200 sieve		
(Av. of 2 analyses) ..	min. 75%	76.60%
Consistency		85 ml. per
30 mm. drop		100 gm.
The material complies with the specification requirements.		
Sample of: Cement Plaster (Red Top Cement Plaster "N")		
Tested by: Cornell University Testing Laboratory		

	Fed. Spec. SS-P-401	Found
Chemical Composition		
CaSO ₄ ·1/2H ₂ O	60.5% min.	88.6%
Physical Tests		
Setting Time	1.5 hrs. min.	6 hrs. 40 m.
Tensile Strength	150 p.s.i. min.	445 p.s.i. 450 435 440 420
		Average 438

Testing Consistency 140 ml. per
 1/2" slump 2" x 4" cyl. . . 100 gm.
 The material complies with the specification requirements.

The following is the result of tests performed by the Robert W. Hunt Company on samples selected by the Board of Standards and Appeals at the New Brighton Mill of the U. S. Gypsum Co.

Bond Strength Tests of Bonded Specimens
 (bonded area 10" sq.)

Sample	Load-Lb.	Max. p.s.i.	Failure
Sample No. 2. U.S.G.		8.6	Plaster pulled away from Bondcrete
Bonderete on Concrete	860		
Sample No. 5. U.S.G.		18.2	About 6% through Bondcrete
Bonderete on Concrete	1820		
Sample No. 6. U.S.G.			
Bonderete on Concrete	818	8.18	Through Bondcrete
	Average	11.66	

Recommendations.

As a result of these inspections and tests, the Committee on Tests recommends that the U. S. Gypsum Company's Gypsum Plasters, Red Top and Samson Brands under trade names as herein listed (item through 6), be approved pursuant to Section C26-19 of the Administrative Building Code for use in New York City as finishing coat under C26-463-4.0 (8.4 2.8), Administrative Building Code, for use in masonry mortar under C26-313.0.b-c (7.1.1.8.3) when used in interior partitions of gypsum block and clay tile when maintained to the specifications herein contained and prepared in a manner hereafter set forth provided that monthly mill test reports from the mill certified by the applicant's chemists be filed with the Board and that all bags, barrels or packages be tagged, labeled or marked: "Approved by the Board of Standards and Appeals for use in New York City when used in accordance with the requirements of Cal. No. 8 39-SM."

This recommendation for approval is conditional upon correcting the manufacture of Red Top Gauging Plaster so that the fineness through a #100 sieve be increased from 75% to not less than 90% and that the Red Top Keene Cement setting time be stepped up so that a 1 hour minimum is observed.

(Sgd.) BERNARD A. SAVAGE,
 Commissioner,

CHARLES M. BLUM,
 Commissioner,

LESLIE V. HUBER,
 Chief Engineer,
 Committee on Tests

and
 WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals do hereby approve the material known as U. S. Gypsum Plaster, Red Top and Samson Brands—Gypsum Cement Plasters, Wood Fibre Plasters, Prepared Sanded Plaster

MINUTES

Red Top Bondercrete, Prepared Gypsum Finishes, Acoustical Plasters and Special Finish, *on condition* that the material be manufactured and labelled, stamped or tagged in accordance with above report.

367-42-SA.

APPLICANT—David Kaufman, for Holland Furnace Company, owner.

SUBJECT—Holland Gun Type Oil Burner, Models H4, S4, M4 and L4, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (367-42-SA)

WHEREAS, David Kaufman, for Holland Furnace Company, owner, filed on May 5, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the Holland Gun Type Oil Burner, Models H4, S4, M4 and L4; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

October 27, 1942.

Re: Cal. No. 367-42-SA.

Subject: Holland Gun Type Oil Burner, Models H4, S4, M4 and L4, Approval of.

The Holland Furnace Company of Holland, Michigan, filed on May 5, 1942, an application with the Board of Standards and Appeals for approval of the Holland Gun Type Oil Burner, Models H4, S4, M4 and L4 under the provisions of C19-57.0, Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals.

This burner is of the pressure atomizing gun type. The assembly consists of the following: a one-eighth horse power motor operating at a speed of 1725 revolutions per minute; a Webster pump of the two-stage type having a maximum capacity of 20 gallons per hour at the nozzle based on a speed of 1725 revolutions per minute and at 100 pounds pressure; conventional strainer and pressure regulating valves; six inch diameter squirrel cage type air-fan; Holland 10,000 volt transformer with intermittent ignition; and conventional type nozzle.

The capacity of the burner varies from a nozzle size of one gallon per hour to three gallons per hour, and the burner is so designed that it may use No. 1, 2 or 3 commercial grade oils. The controls consist of Minneapolis Honeywell Protectorelay R. A. 117A, Holland limit control #10 Type L80AYIXL, and Thermostat, Holland Automatic stack control.

The burner is manufactured in four models which are identical in operation and similar in construction. All models are designed with air-tube and mounting bracket, Models S-4, M-4 and L-4 are designed for converting coal burning installations to oil burning furnaces or boilers.

Models S-4, M-4 and L-4 differ only as to the length overall and the length of the air tube: S-4 length overall 29-15/16 in., air tube 16 1/8 in.; M-4 length overall 34-15/16 in., air tube 21 1/8 in.; L-4 length overall 41-15/16 in., air tube 28 1/8 in.

This burner Model H-4 was inspected and tested by the Committee on Tests and the representative of the

Division of Combustibles of the Fire Department in a hot air furnace at 965 Atlantic avenue, Brooklyn, and operated without flarebacks or undue carbon deposits. On shutting off of oil, the burner shut down in 80 seconds. Test of the CO² indicated a minimum of 11%. The burner has been approved by the Underwriters' Laboratories,—CA4494C4 C.S. 7539.

An examination of the assembly indicates that proper replacement of parts can be readily made. The applicant's attention is drawn to the requirements of Rule 4.1 wherein only "approved parts" shall be used in the assembly of the burner.

Recommendations.

On the basis of this inspection and test, the Committee recommends the approval of the Holland Gun Type Oil Burner, Models H4, S4, M4 and L4, for domestic and commercial installations for use with fuel oil not heavier than #3 U. S. Dept. of Commerce Standards when manufactured and installed in accordance with this report and the Oil Burner Rules of the Board of Standards and Appeals, provided the burner bears a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 367-42-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Holland Gun Type Oil Burner, Models H4, S4, M4 and L4, *on condition* that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

Adjourned: 4:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on December 16, 1941, as they appeared in Bulletin Vol. 26, No. 51, are hereby corrected to read as follows:

THE RESOLUTION—

(1035-41-A)

WHEREAS, Eugene A. Walsh, for Wikon Realty Corporation, owner (Peter Buccolo, lessee), filed November 28, 1941 an appeal from an order and a decision of the fire commissioner; premises 262 South street, north side, 49.4 ft. east of Rutgers slip (Block No. 247, Lot No. 3), Borough of Manhattan; and

WHEREAS, Order No. 25694-LC issued by the fire commissioner March 28, 1941 and repeated in a decision of the fire commissioner dated November 27, 1941, reads:

"1. Provide a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to

*Correction—The words "*except in cellar*" inserted in lines 44 and 45 resolution.

MINUTES

the Fire Commissioner. Sec. C19-149-0-C-4, Article 26, Administrative Code."

and

WHEREAS, the building is 5 stories (52 ft.) in height; 21.7 ft. by 65.3 ft. in area; of Class 3 construction; erected prior to 1901; located in an unrestricted use district; and occupied: 1st floor, storage of baled stock, no persons; 2nd floor, office and baled stock, 2 persons; 3rd, 4th and 5th floors, cutting and handling of stock, 2 persons per floor; and

WHEREAS, the applicant contends that the building is used by one tenant as a dealer in burlap bags and wrappings and has been so used for the past 20 years; that the building is within 25 ft. of a high pressure hydrant; that there is a fire alarm box within 175 ft. and a low pressure hydrant within 40 ft.; that the building is 25 ft. from the East River from which fire boat protection is available; that there are no multiple dwellings in the block and none within 250 ft. of the building; that the floor area above the 2nd floor is limited to 1630 sq. ft. per floor and is enclosed with 12 in. and 16 in. brick walls; that windows on the side walls are equipped with shutters on the east side; that there are no windows on the west side; that windows in the front wall are fire-

proof; that windows in the rear wall are equipped with iron shutters; that based on these facts it is requested that the order be modified to the extent that an automatic fire alarm be installed in lieu of a sprinkler system as the sprinkler system would be too costly and impractical to maintain; that it is proposed to install an Aero Automatic Fire Alarm System with central office connection.

Resolved, that the order of the fire commissioner, Order No. 25649-LC, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the building, *except in cellar*, a non-automatic dry sprinkler system complying with the requirements of the Building Code therefor, except that hangers and fittings shall be of malleable iron and a single hose inlet may be furnished and that there shall be maintained in the building a thermostat small alarm system connected to fire-headquarters through central station; that this variation shall continue only so long as the building is maintained substantially as set forth by the fire commissioner and in all other respects it shall comply with all laws, rules and regulations applicable thereto and maintained in compliance with this resolution.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939, EFFECTIVE, IN ACCORDANCE WITH SECTION (665, SUBDIVISION C) 666, PARAGRAPH 2, OF THE NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, December 4, 1942 at 10:30 A. M., Room 1013, Municipal Building, Manhattan, on Proposed Amendment to Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

NOTE—New matter in *italics*; old matter in parenthesis () to be omitted.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph(s) 2 (and 3), of the New York City Charter (and C26-1268.0c 4) (14.7.1.3 BC) (and C26-1277.0h) (14.8.2.8 BC) *pertaining to Sections C26-1268.0,c,4. and C26-1277.0h. of the Administrative Building Code.*

Rule 1. Vacuum Breakers.

All vacuum breakers prescribed under these rules shall be set at least four inches above the flood level rim of fixtures or as otherwise specifically provided for in these rules. Each fixture with submerged inlets shall be independently controlled by an approved vacuum breaker or breakers the full size of supply pipe, as set forth in these rules.

Rule (3) 2. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the (overflow) flood level rim of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture, or as otherwise provided for in these rules.

Water supply lines to water preheating apparatus utilizing waste water shall be equipped with an approved vacuum breaker located at least four feet

above the highest elevation of the preheating apparatus or coil, with a check valve between the vacuum breaker and the preheating apparatus. Any hot water boiler supplied through such preheating device and having an independent cold water supply line shall have the cold water supply line equipped with a vacuum breaker and check valve located at least four inches above the highest elevation of the boiler.

Rule (1) 3. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly or indirectly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the (overflow) flood level rim of the fixture (to prevent siphonage or backflow of contaminated water into the housewater distribution piping and checked by the inspector.)

Rule (2) 4. Ballcocks.

All flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than (one half) three-quarter inch above the overflow outlet of the flush tank.

Ballcocks controlling water supply to suction, roof or other intermediate tanks shall be located at least one inch above the flood level rim of the tank except that in roof tanks equipped with an overflow of a size at least one commercial diameter larger than the water supply pipe, the ballcock may be located two inches above the highest elevation of the overflow pipe. To overflow and emptying pipes of roof, suction and intermediate tanks shall not be directly connected to a drainage system, notwithstanding the permissive provision of Section C26-1273.0,d of the Administrative Building Code for connection to a leader.

PUBLIC HEARING

Rule (4) 5. Sterilizers.

Direct water supply connections to all sterilizers are prohibited, *except such equipment as is approved by the Board. When approved sterilizers are used, the waste piping (for) from sterilizers shall not connect directly with any drainage system. (such waste piping shall discharge above an open, water-supplied, trapped and vented fixture).*

Rule (5) 6. Aspirators—Water Siphons.

Direct water supply connections to aspirators, water siphons or similar apparatus (shall be equipped with an approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker) *is prohibited except when approved by the Board.* The waste pipe for this type of apparatus shall not connect directly with any drainage system (but shall discharge above an open, water supplied, trapped and vented fixture).

Rule (6) 7. Bidets—Bed Pan Washers.

Direct water supply connection to (Installation of) a bidet is prohibited. Water supply connection to (bidets,) bed pan washers or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker. *Water supply to bed pan washers equipped with an approved valve shall be governed by Rule 3.*

Bed pan washers may be equipped with steam connections only when such equipment has been approved by the Board.

Rule 7. Roof or Suction Tanks.)

(Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.)

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well or similar type pumps *when permitted by the Department of Water Supply, Gas and Electricity* shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and

check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant (agency) from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation. *Direct water connection is prohibited under Section C26-1223.0 Administrative Building Code.*

Rule 10. Mortuary, Dissection, Operating and Embalming Tables or Equipment.

Mortuary, dissection, operating and embalming tables or equipment shall have no direct water supply connection. Hose used with such equipment shall terminate at least 12 inches at any point from the table or attachments.

Rule 11. Dishwashing and Laundry Machines.

Water supply to dishwashing and laundry machines shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the fixture. The vacuum breaker shall be located at least 4" above the highest elevation of the machine.

Rule 12. Chemical Solution Tanks or Apparatus.

Water supply connections to any tank or apparatus containing any chemical shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the tank or apparatus.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES FOR THE TESTING AND USE OF BLENDED CEMENTS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, AUGUST 2, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, AUGUST 26, 1940.

(584-39-SR)

Authority:

Pursuant to the Authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, Charter of the City of New York, and C26-189.0, Administrative Building Code (2.2.1.1), and C26-312.0, paragraph e, subdivision 2, Administrative Building Code (7.1.1.7.3) reading: "Nothing herein contained shall be construed to prohibit the use of cements of other types which are approved by the board and are used in accordance with rules of the board governing their use."

1.0 Scope.

1.1 The intent of these rules is to provide a basis for the use of blended cements other than Portland Cement. Subject to the restrictions in the approval of the Board as to each brand, such blended cements may be used as substitutes for Portland Cement on an equivalent weight basis where Portland Cement is permitted.

2.0 Blended Cements.

2.1 Blended cements shall include an intimately interground mixture of approved Portland Cement with natural or artificial products composed of silica and alumina, which shall be mixed with Portland Cement in limited proportions, (except as may be otherwise provided for in the Administrative Code) and which will react in the presence of water to form a hydraulic cement.

2.2 Admixtures to Portland Cement shall have a previous record of satisfactory experience.

2.3 These rules shall not be applicable to harmless materials used as coloring, waterproofing, plastering, and freezing preventatives when used as admixtures to Portland Cement in quantities not in excess of 1%.

3.0 Manufacture and quality of Blended Cements.

3.1 A flow sheet in duplicate showing the process of manufacture and blending shall be filed with the Board as part of any application for approval which shall include the origin and the amount of materials used and proof as to quality and uniformity.

4.0 Available supply of raw materials.

4.1 Evidence shall be filed with the Board showing the potential supply of raw material available to the manufacture.

5.0 Fineness.

5.1 The specific surface shall be not less than 1800 sq. cm. per gram, as determined by methods of test described in A.S.T.M. specifications C115-38T.

5.2 The residue shall not exceed 15% by weight on a No. 325 standard sieve.

6.0 Soundness.

6.1 A pat of neat cement of normal consistency shall be subjected to tests for soundness by the methods

outlined in A.S.T.M. specifications C77-36, and when so tested it shall show no signs of distortion, cracking, checking or disintegration when subjected to steam test, nor shall the expansion of the pat be greater than 5mm, when molded in Le Chatelier tor and stored in a standard moist closet for 24 hours.

6.2 In addition to these requirements, the expansion of three 1" x 1" x 10" bars of neat cement of normal consistency when subjected to the Autoclave test, A.S.T.M. tentative method, shall not have an expansion in excess of 0.75%.

7.0 Time of set.

7.1 Time of setting shall be determined by test prescribed in A.S.T.M. Specification C77-36, and mortar so tested shall not develop initial set in less than one hour and final set in more than 10 hours as tested with Vicat or Gillmore needle.

8.0 Compressive strength for normal blended cements.

8.1 The average compressive strength of five 2-inch mortar cubes composed of one part of blended cement and 2.75 parts graded Ottawa sand by weight shall not be less than the following:

Age at Test	Storage of Cubes	*Compressive Strength
7 days	1 day in moist air, 6 days in water	2200 lbs. sq.
28 days	1 day in moist air, 27 days in water	3500 lbs. sq.

*When tested in accordance with Fed. Spec. SS-C-141.

8.2 Tensile Strength.

The average tensile strength in lbs. sq. in. of not less than 5 mortar briquets composed of one part cement and 3 parts of Ottawa sand, by weight, shall be not less than or greater than the following:

Age at Test	Storage of Briquets	Tensile Strength Lbs. S
3 days	1 day in moist air, 2 days in water	1700
7 days	1 day in moist air, 6 days in water	2700
28 days	1 day in moist air, 27 days in water	3500

The average tensile strength of the mortar at 3 and 28 days shall be higher than that at 7 and 28 days respectively.

9.0 Blended cements having other properties.

9.1 When approval of the board is requested for the use of Blended Cements having high early strength, sulfate resistance or low heat of hydration, application shall be made to the board for additional tests to develop these properties.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to November 24, 1942.

Cal. No. Dept. Premises Affected

805-42-BZ—H.B.Q.—54-47 74th street, northeast corner of 57th avenue (Block No. 2805, Lot Nos. 10, 142 and 151), Maspeth, Borough of Queens, N. B. 917-42.

806-42-A—F.D.—4911 and 4923 Marginal street, 280 ft. west of west side of First avenue, Buildings No. 57 and 58 (Block No. 725, Lot No. 1); Pier No. 1, foot of 50th street, Pier No. 2, foot of 49th street, Pier No. 3, foot of 47th street, Pier No. 4, foot of 46th street and Pier No. 5, foot of 44th street, 533 ft. west of west side of First avenue (Block No. 725, Lot No. 1); Pier No. 6, foot of 42nd street, Pier No. 7, foot of 41st street (Block Nos. 715, 720 and 710, Lot No. 1); Pier No. 8, foot of 39th street (Block No. 706, Lot No. 75), East River, Borough of Brooklyn, 9607-L. F. and Decision.

807-42-S—F.D.—54-02 Ditmars boulevard, southeast corner of 45th street (Building C); (Block No. 769, part of Lot No. 1), Astoria, Borough of Queens, Decision.

808-42-S—F.D.—Northwest corner of 38th street and 19th avenue (Building 1-A); (Block No. 814, Lot No. 1), Astoria, Borough of Queens, Decision.

809-42-A—F.D.—37-11 22nd street, east side, 100 ft. southeast of 37th avenue (Block No. 365, Lot No. 10), Long Island City, Borough of Queens, 93236-L. C.

810-42-BZ—H.B.B.—1-27 Montauk avenue, 3144-3166 Atlantic avenue, southeast corner and 2-40 Milford street (Block No. 3976, Lot Nos. 25 to 48, inclusive), Borough of Brooklyn, Alt. 3045-42.

811-42-S—F.D.—40-09 21st street, east side, 60 ft. south of 40th avenue (Block No. 410, Lot No. 9), Long Island City, Borough of Queens, Decision.

812-42-A—H.B.Q.—27-01 Bridge Plaza North, north side, from 27th to 28th streets and 41-35 27th street (Block No. 416, Lot Nos. 10 and 19), Long Island City, Borough of Queens, M-Applic. 5166-42.

813-42-A—H.B.Bx.—North side of West 180th street, 245 ft. west of University avenue (Block No. 3222, Lot No. 40), Borough of The Bronx, N. B. 169-42.

814-42-A—F.D.—66-72 Furman street, west side, 576.8 ft. south of Fulton street (Block No. 199, part of Lot No. 3), Borough of Brooklyn, 9342-L. F. and Decision.

815-42-A—H.B.Q.—47-09 30th (Orton) street, southeast corner of 47th (Nelson) avenue (Block No. 283, Lot Nos. 1 and 38), Long Island City, Borough of Queens, Alt. 1149-42.

816-42-A—F.D.—64-06 60th avenue, south side, 43.63 ft. east of 64th street (Block No. 2760, Lot No. 11), Maspeth, Borough of Queens, 91990-C. and Decisions.

817-42-A—F.D.—441 West 37th street, north side, 25 ft. east of Tenth avenue (Block No. 735, Lot No. 12), Borough of Manhattan, 31277-L. C. and Decision.

818-42-SM—Victory Soil Pipe (Cast Iron Soil Pipe manufactured by Sanitary Company of America, Material

819-42-A—H.B.M.—152-156 East 121st street, southeast corner of Sylvan place (2nd floor); (Block No. 1769, Lot No. 48), Borough of Manhattan, Alt. 1326-42.

820-42-S—H.B.M.—152-156 East 121st street, southeast corner of Sylvan place (Block No. 1769, Lot No. 48), Borough of Manhattan, Alt. 1326-42.

821-42-A—H.B.B.—1540 59th street, south side, 320 ft. east of 15th avenue (Block No. 5509, Lot No. 23), Borough of Brooklyn, B. N. 988-42.

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Carbon Dioxide Liquefier, Rules	Mar.	10, 1942—Vol. 27, No. 10.
Certificates of Occupancy, approved form	Nov.	25, 1941—Vol. 26, No. 13.
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 13.
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June	24, 1941—Vol. 26, No. 3.
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 3.
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 15.
Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 17.
Factory Exit Rules	Nov.	17, 1942—Vol. 27, No. 7.
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Fire Drill Rules	Aug.	4, 1942—Vol. 27, No. 28.
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Fire Retarding Rules for Garages, etc.	Dec.	16, 1941—Vol. 26, No. 13.
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Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 20.
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Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 5.
Hatchway Protection	June	5, 1928—Vol. 13, No. 22.
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Oil Burner Rules	Sept.	1, 1942—Vol. 27, No. 28.
Opening Protective Assemblies, Rules for Inspection of	July	28, 1942—Vol. 27, No. 8.
Paint, Varnish and Lacquer Spraying Rules	Sept.	8, 1942—Vol. 27, No. 24.
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Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Nov.	25, 1941—Vol. 26, No. 7.
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Smoking in Factories, Rules for	Oct.	13, 1942—Vol. 27, No. 29.
Sprinkler Rules	June	29, 1937—Vol. 22, No. 8.
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Structural Alterations, Reporting	June	7, 1932—Vol. 17, No. 24.
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Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 10.
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8, No. 10.

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Fireline Hose Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Burners for Industrial Use	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Pumps	Nov. 25, 1941—Vol. 26, No. 47A
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Range Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Vacuum Breakers	Nov. 10, 1942—Vol. 27, No. 45

DECEMBER 1, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, December 1, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

363-42-BZ—Application, May 5, 1942, under sections 7c and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adee, owner, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

577-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant, on behalf of Crew Levick Corporation, owner (Joseph E. Johnston, lessee), to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

607-42-BZ—Application, August 5, 1942, under section 7h of the zoning resolution, of J. M. Berlinger, applicant, on behalf of Janetta Whitridge, Mary Whitehouse and Harriet Aldrich, owners, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan.

610-42-BZ—Application, August 6, 1942, under sections 7h and 21 of the zoning resolution, of Mac L. Reiser, applicant, on behalf of Mary Oginsky and Philip Oginsky, owners (Martha Kozak, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 336-338 (340 displayed) New Jersey avenue, west side, 125 ft. north of Belmont avenue (Block No. 3738, Lot Nos. 30 and 31), Borough of Brooklyn.

95-40-BZ—Application of Samuel Rosenblum, applicant, on behalf of 40 Central Park South, Incorporated, owner, reopened November 18, 1941, under section 7h of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking of more than five (5) motor vehicles; premises 41 West 58th street, north side, 120 ft. east of Sixth avenue (Block No. 1274, Lot No. 6), Borough of Manhattan.

215-42-BZ—Application, March 18, 1942, under section 7h of the zoning resolution, of John C. Wandell, applicant, on behalf of Society of St. Vincent De Paul, owner (Arthur Stevenson, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 8101-8111 Third

avenue and 302-318 81st street, southeast corner (Block No. 5997, Lot Nos. 7 and 11), Borough of Brooklyn.

119-42-BZ—Application, February 10, 1942, under section 21 of the zoning resolution of Goldenthal Brothers, applicant on behalf of Peter Anselmi, owner, to permit in a business use district, the maintenance of eight (8) one-car garages; (two (2) for accessory use and six (6) to be rented to individuals not residing on the premises); premises 28-04 39th avenue, southeast corner of 28th street (Block No. 398, Lot No. 21), Long Island City, Borough of Queens.

708-38-BZ—Application of Lama and Proskauer, applicants on behalf of Patrick Carroll, owner, reopened June 16, 1942, under section 7c of the zoning resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles, on an existing gasoline service station (the gasoline service station was previously granted by the Board); premises 92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot No. 5), Elmhurst, Borough of Queens.

585-42-BZ—Application, July 21, 1942, under section 7c of the zoning resolution of John F. Payne, applicant on behalf of Socony-Vacuum Oil Co., Inc., owner, to permit in a business use district, the alteration and conversion of occupancy of an accessory building on an existing gasoline service station, from storeroom to car-washing and lubricatorium; premises 168 Richmond terrace and 1-7 Stuyvesant place, southerly intersection (Block No. 12, Lot No. 11), St. George, Borough of Richmond.

903-25-BZ—Application of Lama and Proskauer, applicants on behalf of Rose Rolland, owner, reopened November 5, 1941, under section 7f of the zoning resolution, to permit in a business use district, for a term of ten (10) years, the use of a two (2) story and basement building, as a garage for more than five (5) motor vehicles; the Board having previously granted a one (1) story garage for more than five (5) motor vehicles on the premises in question; premises 823-829 Classon avenue, east side, 47 ft. north of Lincoln place (Block No. 1178, Lot No. 3), Borough of Brooklyn.

523-42-BZ—Application, June 29, 1942, under section 21 of the zoning resolution of Clifford L. Snyder, applicant and lessee, on behalf of The Fordham Methodist Episcopal Church, owner, to permit in a residence use district, the alteration and conversion of occupancy of part of an existing dwelling, to business use (Funeral Director's Office); premises 2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx.

Appeal from Administrative Decision.

524-42-A—2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 1, 1942, 2 P. M.

Appeals from Administrative Decisions.

407-42-A—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

447-42-A—510 Dahill road, west side, 60 ft. south of 40th street (Block No. 5382, Lot No. 26), Borough of Brooklyn.

720-42-A—92-96 Clifton place, south side, 175 ft. west of Classon avenue (Block No. 1952, Lot Nos. 25, 26 and 27), Borough of Brooklyn.

CALENDAR

744-42-A—71 Taaffe place, east side, 132 ft. 11 in. north of Park avenue (Block No. 1883, Lot No. 7), Borough of Brooklyn.

439-42-A—15 West 84th street, north side, 220 ft. west of Central Park West (Block No. 1198, Lot No. 23); (1st floor west—front room), Borough of Manhattan.

Appliances and Materials for Approval.

715-39-SA—Carrier Cold Diffusers, Types 1400, 1800, 15G, 15J, 15K, 15M, 15Q, 15T and 39K.

414-42-SA—Robins Steam or Air Atomizing Burner (for owner's use only).

555-42-SA—Mills Coin Controlled Bottle Vendor, Models 45, 47, 47A, 47B, 47N, 66, 96, 98 and 98A.

1002-39-SM—Perfection Joint Cover (for protection of Horizontal Stone Joints).

330-41-SM—Croton Flameproofing Compound (CFP).

DECEMBER 4, 1942, 10:30 A. M.

Rules.

835-38-SR—Proposed Amendments to Rules Relative to Submerged Inlets and Protective Methods to be applied to prevent Contamination of Water Supply.

(For Copy of Proposed Amendments, see Bulletin of November 10, 1942, Vol. 27, No. 45.)

DECEMBER 8, 1942, 10 A. M.

Appeals from Administrative Decisions.

712-42-A—4485-4519 Broadway, northwest corner of West 192nd street (Block No. 2180, Lot Nos. 633, 635 and part of Lot No. 646), Borough of Manhattan.

737-42-A—481-495 Clermont avenue, 783-803 Atlantic avenue, northeast corner and 470 Vanderbilt avenue (Block No. 2009, Lot No. 1), Borough of Brooklyn.

115-42-S—1412-1416 Broadway, northeast corner of West 39th street (Block No. 815, Lot No. 14), Borough of Manhattan.

DECEMBER 8, 1942, 2 P. M.

Appeals from Administrative Decisions.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

797-42-A—20-40 Jay street, southwest corner of John street, entire block bounded by Jay, John, Pearl and Plymouth streets (Block No. 19, Lot No. 1), Borough of Brooklyn.

722-42-A—2515 Grand Concourse, west side, 106.34 ft. north of East Fordham road (Block No. 3167, Lot No. 76), Borough of The Bronx.

711-42-S—62 Delevan street, north side, 175 ft. west of Richards street (Block No. 518, Lot No. 35), Borough of Brooklyn.

Appliance and Material for Approval.

781-42-SA—Derby Type B Electrically Operated Remote Control Valve for Standpipe and Sprinkler System.

487-42-SM—Haverstraw Trap Rock (Concrete Aggregate) as Produced by the New York Trap Rock Corporation.

DECEMBER 15, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provision of the zoning resolution, *Tuesday morning, December 15, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

1261-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, reopened May 26, 1942, under section 7c of the zoning resolution, to permit partly in a business use and partly in a residence use district, the parking and storage of more than five (5) motor vehicles upon a plot occupied as a gasoline service station (previously withdrawn); premises 2701-2711 Fort Hamilton parkway and 1358-1368 Prospect avenue, northwest corner (Block No. 5284, Lot No. 64), Borough of Brooklyn.

578-42-BZ—Application, July 15, 1942, under sections 7 and 21 of the zoning resolution, of Arnold W. Lederer, applicant, on behalf of Buoniello Holding Company, Incorporated, owner, to permit in a business use district, for term of two (2) years, the parking and storage of more than five (5) motor vehicles and, also, the continuance of the use of part of the plot for the display and sale of used cars; premises 6802-6810 Fort Hamilton parkway, southwest corner of 68th street (Block No. 5771, Lot No. 6), Borough of Brooklyn.

772-42-BZ—Application, November 4, 1942, under section 7c of the zoning resolution, of Maurice G. Uslan, applicant, on behalf of Durkee Marine Products Corporation, owner, to permit upon a plot located partly in a manufacturing use and partly in an unrestricted use district, the maintenance of an extension to a building used as a foundry; premises 2053 Clove road, southeast corner of Mosel avenue (Block No. 2921, Lot Nos. 18 and 23), Grasmere, Borough of Richmond.

987-41-BZ—Application, November 14, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station; premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

Appeal from Administrative Decision.

792-42-A—796-804 Utica avenue and 736-746 Linden boulevard, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn, Misc. 8575-41.

HARRIS H. MURDOCK, *Chairman*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, NOVEMBER 24, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, November 17, 1942, and Tuesday afternoon, November 17, 1942, were approved as printed in Bulletin No. 47, Vol. 27.

ZONING CASES.

107-42-BZ.

APPLICANT—John F. Payne, for Socony-Vacuum Oil Co., Inc., owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection of an accessory building upon a plot now occupied as a gasoline service station; the vehicular entrance to the gasoline service station is located within 200 ft. of an entrance to a public playground.

PREMISES AFFECTED—401-413 Dahill road and 2-12 Cortelyou road, southeast corner (Block No. 5384, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: John F. Payne.

For Opposition: Jeremiah B. Bloom and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application withdrawn on request of applicant, to establish right of occupancy of the present Lot No. 1, 100 by 125 ft., as now occupied.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

926-28-BZ.

APPLICANT—Joseph B. Lynch, for Louis A. Kiesewetter, for The Texas Company, owner.

SUBJECT—Application reopened December 16, 1941 re (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district the extension of an accessory building (for lubratory use) and also, the rearrangement of pumps on an existing gasoline service station, which was previously acted upon by the Board.

PREMISES AFFECTED—2633-2643 Ocean avenue and 2002 Avenue V, southeast corner (Block No. 7381, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (926-28-BZ)

WHEREAS, this application, to permit in a residence district, under section 21 of the zoning resolution, the erection and maintenance of a gasoline service station, affecting premises 2633-2643 Ocean avenue and 2002 Avenue V, southeast corner (Block No. 7381, Lot No. 1), Borough of Brooklyn, was denied by the Board on May 7, 1929; the

action of Board was reversed by the Supreme Court, and a gasoline service station erected; a request for reopening was denied by the Board on February 9, 1937, as it appeared that this station, as erected, did not conform to the plans filed with the Board and part of the record before the Court; and

WHEREAS, on order of the Court, this application was reopened by the Board on January 25, 1938, and granted on condition; and

WHEREAS, the applicant requested a further reopening of the case for amendment of the resolution of January 25, 1938, to permit the extension of the existing lubratorium and the rearrangement of the gasoline pumps; and

WHEREAS, this case was reopened by vote of the Board on December 16, 1941, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 24, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Ocean avenue is in a residence use district; Avenue V is in a business and residence use district; and East 21st street and Gravesend Neck road are each in a residence and business use district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 5551-41, dated December 16, 1941, reads:

"1. Extension of pres. gasoline station in residential use dist. prohibited by Art. II, §3 of zoning resolution.

Note: The above gasoline station was originally granted by the Board of Stds. and Appeals under Cal. No. 926-28-BZ."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 100 ft. on Ocean avenue and 105 ft. on Avenue V; that the Ocean avenue frontage of the plot, having a frontage of 100 ft. on Ocean avenue and 74 ft. on Avenue V, 67 ft., is occupied as a gasoline service station; that the easterly part of the plot, having a frontage of 31 ft. and a depth of 100 ft., is vacant; that it is proposed to extend the area of the accessory building by the erection of a bay, 16 ft. by 24 ft. 10 in. to be used as a lubratorium—and to relocate the pumps; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted on January 25, 1938, by adding thereto:

"that in the event the owner desires to extend the accessory building toward the south, as indicated on revised plans marked 'Received January 16, 1942' for the purpose of accommodating an indoor greasing lift equipment and the rearrangement of pumps as shown, that such extension may be permitted, provided that in all other respects, the resolution adopted by the Board on January 25, 1938, is complied with and that all permits for such extension shall be obtained within one year and all work completed within one year from the date of this amended resolution."

58-30-BZ.

APPLICANT—Charles M. Spindler, for Lillian Kaplan, owner.

SUBJECT—Application reopened July 23, 1942 re (decision of the borough superintendent) under sections 7c and 7f of the zoning resolution, to permit in a business use district, the extension of a gasoline service station (previously granted by the Board) and also, for a term of years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—73-13 to 73-21 Cooper avenue and 71-34 to 71-38 73rd place, northwest corner (Block No. 3691, Lot No. 19), Glendale, Borough of Queens.

MINUTES

APPEARANCES—

For Applicant: Joseph C. Haus.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gumm 4

Negative: 0

THE RESOLUTION (58-30-BZ)

WHEREAS, this application permitting in a business use district the erection and maintenance of a gasoline service station, under section 21 of the zoning resolution, was granted by the Board on April 15, 1930 on certain conditions; affecting premises 73-13 to 73-21 Cooper avenue, and 71-34 to 71-38 73rd place, northwest corner (Block No. 3691, Lot No. 19) Glendale, Borough of Queens; and

WHEREAS, Charles M. Spindler, for Lillian Kaplan, present owner, requested reopening of the application and amendment of the resolution, under sections 7c and 7f of the zoning resolution, to permit in a business use district the extension of a gasoline service station (previously granted by the Board) and, also, for a term of years the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board on July 23, 1942, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 24, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 73rd place is in a business use district; Cooper avenue is in a business use district; and 73rd street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 1145-42, dated June 22, 1942, reads:

"1. The extension of proposed gasoline station is contrary to approval of Board of Standards and Appeals under 58-30-BZ.

2. The parking and storage of more than five (5) motor vehicles within a business district is contrary to Article 2, Section 4, of the Zoning Resolution."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 123.2 ft. on Cooper avenue, 63.7 ft. on 73rd place, a distance of 126 ft. along the northerly lot lines, and 112 ft. along the westerly lot lines; occupied as a gasoline service station; that the Board granted a variation on April 15, 1930, permitting the use of the easterly part of the plot—having a frontage of 96 ft. on Cooper avenue, 63.5 ft. on 73rd place and 100 ft. along the northerly lot line—as a gasoline service station; that it is proposed to extend the area of this gasoline station, by the inclusion of a parcel of ground (irregular in area and having a frontage of 27.15 ft. on Cooper avenue and having a maximum depth of 86.9 ft.); that upon this parcel of ground there is located a one-story auto laundry 25 ft. by 25 ft. in area; that it is proposed, also, for a term of years, to use part of the unoccupied portion of the plot for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, it appears that under New Building Application 162-30 and Certificate of Occupancy No. 44585, the superintendent of buildings permitted more area to be occupied by the gasoline station than was permitted by the Board under resolution adopted April 15, 1930, by the inclusion of what was then known as lot 24, to the west, now under consideration, and also permitted a different arrangement of accessory buildings than as permitted; and

WHEREAS, the applicant now requests that this arrangement be permitted to continue for the enlarged area with

certain amendments to the previous resolution and the additional use of parking or storage.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on April 15, 1930, by adding thereto:

"that the arrangement of the premises may be substantially as indicated on revised plans marked 'Received September 4, 1942' and may include the additional lot to the west, formerly known as lot No. 24, having a frontage on Cooper avenue of 27.15 ft. and a depth of 86.90 ft.; that additional occupancy of the premises may be permitted, consisting of the parking or storage of motor vehicles, *on condition* that not over twenty (20) motor vehicles shall be so stored or parked; that such motor vehicles shall be of the pleasure-car type only and only such as are in condition for operation; that the existing curb cuts as shown, shall not be extended; that the existing lot line wire fence to the west and to the north shall be continued, but shall be replaced with masonry walls not less than 6 ft. 6 in. in height within two (2) years from the date of this amended resolution; that such walls shall be of face brick on both sides, conforming in color and texture with the face brick of the accessory buildings and shall be properly coped; that such walls may be reduced to a height of four feet; within 6 feet of the building line of 73d place and Cooper avenue; that such wall may be omitted toward the west where the wall of the adjoining building occurs; that no openings shall be made in the existing accessory buildings to adjoining premises; that the curbing along the street building line, as required by the resolution adopted by the Board April 15, 1930, may be omitted; that any use not in accordance with the requirements of this amended resolution, shall be discontinued; that all signs, roof, temporary or otherwise, shall be removed and no signs shall be installed on the premises, other than permanent fixed signs attached to the accessory building, the illuminated globes of the pumps, and the erection of a post standard within the building line for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than four feet; that the entire premises where not occupied by accessory buildings, pumps and walls, shall be cement paved; that the sidewalks and curbing shall be repaired and the space between the present sidewalk paving and curbing on 73d place and Cooper avenue shall be seeded to grass and the existing trees and grass maintained in good condition; that all permits required shall be obtained and all work completed, except for the provision as to the masonry walls, within one year from the date of this amended resolution and that upon completion, a new Certificate of Occupancy for the use of premises as herein permitted, shall be issued supplanting Certificate of Occupancy No. 44585 which incompletely covers the uses."

127-35-BZ.

APPLICANT—Jack Z. Cohen, for Joseph Angelone, owner.

SUBJECT—Application reopened June 30, 1942 re (decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and also, the erection of garages for four (4) motor vehicles.

PREMISES AFFECTED—115-119 Truxton street, north side, 142 ft. 9¾ in. west of Conway street (Block No. 1544, Lot Nos. 42 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Lany Meltzer and Joseph Angelone.

For Opposition: Harold Klorfein, Dep't of Parks, Rose Davins and Francesco Stano.

MINUTES

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (127-35-BZ)

WHEREAS, this application, permitting in a business use district the parking and storage of more than five (5) motor vehicles, under section 7h of the zoning resolution, was granted by the Board on February 25, 1936, on certain conditions; affecting premises 115-119 Truxton street, north side, 142 ft. 9¾ in. west of Conway street (Block No. 1544, Lot Nos. 42 and 44), Borough of Brooklyn; and

WHEREAS, an application to use the said premises for a junk shop on the westerly half of the plot now in question, was previously denied on October 29, 1935; and

WHEREAS, Jack Z. Cohen, for Joseph Angelone, owner, requested reopening of the application under section 7f of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and also, the erection and maintenance of garages for four (4) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board on June 30, 1942, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 24, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Truxton street, Somers street, Sackman street and Conway street are in business use districts; and

WHEREAS, the decision of the borough superintendent on N. B. Applic. No. 2548-41, dated June 1, 1942 reads:

"1. Proposed garages for storage of 4 cars in conjunction with parking and storage for more than 5 cars on premises located in a business use district is contrary to Art. II, Sec. 4-A (15) of the Zoning Resolution."

WHEREAS, the applicant states the premises consist of a plot of ground having a frontage of 55 ft. and a depth of 100 ft.; that the westerly part of the plot (Lot 44 which has a frontage of 27 ft. 5 in.), is used for the parking and storage of more than 5 motor vehicles (previously granted by the Board for a temporary term expiring February 17, 1942, under certain conditions); that it is proposed to erect upon the street front of the plot, four (4) individual garages and to use the remainder of the premises for parking and storage of more than five (5) motor vehicles for a term of years.

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of its discretion to grant a variance under section 7f of the zoning resolution.

Resolved, that the decision of the borough superintendent, on N. B. Applic. No. 2548-41, objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

676-42-BZ.

APPLICANT—Frank Straub, for Monte Realty Co., Inc., owner.

SUBJECT—Application re (decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of a four (4) story building, erected as a stable; to store, showroom, offices and light manufacturing.

PREMISES AFFECTED—357 West 17th street, north side, 100 ft. east of Ninth avenue (Block No. 741, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Straub and Benjamin Cohen.

For Opposition: F. M. McKenzie, E. K. Pfeffer, Mollie Korman, Guiglielmo Giamelli, and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (676-42-BZ)

WHEREAS, Frank Straub, for Monte Realty Company, Inc., owner, filed September 17, 1942, an application under section 7c of the zoning resolution, to permit in a residence use district, the alteration and conversion of a four (4) story building erected as a stable, to a store, showrooms and offices and light manufacturing; premises 357 West 17th street, north side, 100 ft. east of Ninth avenue (Block No. 741, Lot No. 5), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 14, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 17th street and West 18th street are each in a residence, retail and unrestricted use district; Ninth avenue is in a retail and unrestricted use district; and Eighth avenue is in a retail use district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 633-42, dated September 17, 1942, and as amended October 30, 1942, reads:

"1. Proposed change of occupancy of building from stable to store, showrooms, offices and light manufacturing in a residence use district, is contrary to provisions of Section 3 and Section 6 of Art. II of the Zoning Resolution."

and

WHEREAS, the applicant states that the existing building is four (4) stories (45 ft.) in height; having a frontage of 25 ft. and a depth of 92 ft.; of Class 3 construction; that it is proposed to alter and to convert the occupancy of the existing building, which was erected as a stable, to store, showrooms, offices and light manufacturing; and

WHEREAS, the applicant was advised that the application could not be brought under section 7c of the zoning resolution and the applicant requested that it be considered under section 21 thereof; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the zoning resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 633-42, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned: 12:20 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 24, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

MINUTES

ZONING CASES.

97-37-BZ.

APPLICANT—Paul Friedman, for Eleanor C. Stoffel, Cornelius Cameron and Lillian Covert, owners (Hyman G. Schonzeit and Isadore Belenson, tenants).

SUBJECT—Application for consideration—reopening and extension of permit re Application (decision of the borough superintendent, previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Administration: Geo. A. Hennig, Real Estate Division, Board of Estimate.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (97-37-BZ)

WHEREAS, this application, to permit in a business use district, under section 7h of the zoning resolution, the parking and storage of more than five (5) motor vehicles, premises 1404-1428 East New York avenue, southwest corner of Amboy street (Block No. 3495, Lot Nos. 12 and 16), Borough of Brooklyn, was granted by the Board December 14, 1937, on certain conditions; and

WHEREAS, due to incorrect ownership and incorrect authorization of persons in ownership of the subject property, the action of the Board of December 14, 1937, was rescinded May 16, 1939; and

WHEREAS, Theodore R. Feinberg, for Eleanor C. Stoffel and Lillian Covert, owners, requested reopening of the application and rehearing on the basis of new facts; and

WHEREAS, this application was reopened by vote of the Board October 8, 1940, subject to the usual procedure; and

WHEREAS, this application was granted by the Board on December 17, 1940, on certain conditions and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 17, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * Granted under section 7h thereof, for a term of two (2) years from the date of this amended resolution, to permit * * *

695-40-BZ.

APPLICANT—Manhattan Storage and Warehouse Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7f of the zoning resolution, permitting in a business use district, the change of occupancy from a garage for five (5) motor vehicles to a garage for not more than ten (10) motor vehicles.

PREMISES AFFECTED—148 West 53rd street, south side, 191.8 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 56 and 156), Borough of Manhattan.

APPEARANCES—

For Applicant: George Gerlach.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn

Negative:

THE RESOLUTION (695-40-BZ)

WHEREAS, Abraham Green, for Manhattan Storage and Warehouse Company, owner, filed June 24, 1940, an application under section 7f of the zoning resolution, to permit in a business use district the change of occupancy from a garage for five (5) motor vehicles to a garage for ten (10) motor vehicles; premises 148 West 53rd street, south side, 191.8 ft. east of Seventh avenue (Block No. 1005, Lot Nos. 56 and 156), Borough of Manhattan; and

WHEREAS, this application was granted by the Board on November 26, 1940, on certain conditions and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on November 26, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * Granted under section 7f thereof, for a term of two (2) years, from the date of this amended resolution * * *

644-41-BZ.

APPLICANT—Charles L. Calhoun, for General Theological Seminary of the Protestant-Episcopal Church in the United States, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7g of the zoning resolution, for a term of 15 years, to permit in an unrestricted use district, the erection and maintenance of a garage for more than five (5) motor vehicles within 200 feet of an exit from or an entrance to a school maintained by an established religious group.

PREMISES AFFECTED—177-183 Tenth avenue and 500-504 West 21st street, southwest corner (Block No. 692, part of Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles L. Calhoun.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn

Negative:

THE RESOLUTION (644-41-BZ)

WHEREAS, George Edward Beatty, for General Theological Seminary of the Protestant-Episcopal Church in the United States, owner, filed July 10, 1941, an application under section 7g of the zoning resolution, to permit in an unrestricted use district, the erection and maintenance of a garage for more than five (5) motor vehicles within 200 feet of an exit from or entrance to a school maintained by an established religious group; premises 177-183 Tenth avenue and 500-504 West 21st street, southwest corner (Block No. 692, part of Lot No. 30), Borough of Manhattan; and

WHEREAS, this application was granted by the Board on December 16, 1941, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 16, 1941, only so far as it has reference to the completion of work, so that as amended, this portion of the resolution shall read:

"* * * that in view of the statement by the representative of the owner that all permits have been obtained, that all work shall be completed within one (1) year from the date of this amended resolution. * * *

MINUTES

1070-41-BZ.

APPLICANT—Paul Friedman, for George I. Laird, owner.
SUBJECT—Application for consideration—reopening, extension of time to complete and amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, for a term of two (2) years, permitting partly in a business use and partly in a residence use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3010-3012 Fulton street and 239-241 Linwood street, southeast corner (Block No. 3956, Lot No. 43), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN, AMEND RESOLUTION AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (1070-41-BZ)

WHEREAS, Paul Friedman, for George I. Laird, owner, filed December 10, 1941, an application under section 7h of the zoning resolution to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3010-3012 Fulton street and 233-241 Linwood street, southeast corner (Block No. 3956, Lot No. 43), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board on March 10, 1942 on certain conditions, time extended September 15, 1942 and application requested a further extension of time to complete the work and an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on March 10, 1942, as amended on September 15, 1942, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7h thereof, for a term of two (2) years from March 10, 1942, to permit the premises to be occupied for the parking and storage of more than five (5) motor vehicles, on condition that only motor vehicles of the pleasure-car type shall be so stored or parked; that all existing structures on the premises shall be entirely removed and the plot shall be graded substantially to the grade of Linwood street; that the plot shall be surfaced with clean gravel, steam cinders or other suitable material, properly rolled and treated with an asphalt binder to render a reasonably impervious surface, and graded to provide surface drainage; that on interior lot lines where walls of adjoining buildings do not occur there shall be maintained a substantial fence not less than six feet in height, which may be of wood and shall be kept in repair and painted; that on the street building lines of Fulton street and Linwood street there shall be erected a woven wire fence of the chain link type with anchor steel posts not less than 6 feet in height with no openings therein except one for exit and entrance to Linwood street not over 15 feet in width with curb cut opposite not over 15 feet in width; that such entrance shall be not nearer than 10 feet to the lot line of Lot No. 41 as extended and not nearer than 50 feet to the corner of Fulton street; that adequate bumpers shall be maintained for the protection of fences and adjacent buildings; that such bumpers shall be not nearer than 3 feet thereto; that shrubbery shall be maintained where indicated on revised plans marked

'Received November 21, 1942'; that adequate aisles shall be maintained at all times for easy entrance and egress; that during the terms of this permit the premises shall be occupied for no other use than herein permitted and no buildings erected thereon, except there may be erected near the entrance on Linwood street a building not over one story in height and 100 sq. ft. in area, which may be of frame, to be used solely as an office and shelter for the attendant; that such portable fire-fighting appliances shall be furnished and maintained as the fire commissioner shall direct; that no signs shall be erected on the premises except there may be a sign attached to the fence at the entrance, advertising the parking and storage use and the rates charged, provided such sign does not exceed 15 sq. ft. in area, is not illuminated and does not extend beyond the building line; that all permits required shall be obtained and all work completed within *three* (3) months from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

267-42-S.

APPLICANT—Sidney L. Strauss, for MacFarlane Fire Prevention Corporation, for Meyline Realty Corporation, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in orders and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to December 8, 1942 at 2 P. M., on written request of applicant.

722-42-A.

APPLICANT—Sidney Daub, for Level Realty Corporation, owner Alexander's Department Stores Incorporated, lessee.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2515 Grand Concourse, west side, 106.34 ft. north of East Fordham road (Block No. 3167, Lot No. 76), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 8, 1942 at 2 P. M., pending an inspection by a committee of the Board.

796-42-A.

APPLICANT—S. Walter Katz, for Beatrice Shankman.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—101 Greene street, west side, 244 ft. 10 in. north of Spring street (Block No. 500, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: John Leonard.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 8, 1942 at 2 P. M., for applicant to obtain new decision from Bldg. Dept.

MINUTES

421-42-A.

APPLICANT—Frank Randazzo, for Congregation Chevre Liady Hoary, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—375 South Fifth street, northwest corner of Hooper street (Block No. 2450, Lot No. 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank Randazzo.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

611-42-A.

APPLICANT—Ajax Contracting Co., Inc., for Rhineland Real Estate Co., Bank of Manhattan Co., and Trustees of Columbia University, owners (H. Kohnstamm and Co., Inc., lessee).

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—83-93 Park place, north side, 42 ft. 2 in. west of Greenwich street and 248-254 Greenwich street (Block No. 129, Lot Nos. 3, 4, 5, 13, 15), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman E. Horwood.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

619-42-A.

APPLICANT—Max Siegel, for Forge Realities, Incorporated, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—291 East Burnside avenue, northeast corner of Ryer avenue (Block No. 3149, Lot No. 6), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

584-41-A.

APPLICANT—Seymour C. Simon, for Saul Leeman, owner.

SUBJECT—Appeal reopened September 9, 1942—re Appeal from a decision of the borough superintendent; previously denied.

PREMISES AFFECTED—121 Bay 23rd street, east side, 100½ ft. south of Benson avenue (Block No. 6408, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Seymour C. Simon.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (584-41-A)

WHEREAS, Benjamin Leeman, for Saul Leeman, owner, filed on June 15, 1941, an appeal from a decision of the borough superintendent, affecting premises, 121 Bay 23rd street, east side, 100½ ft. south of Benson avenue (Block No. 6408, Lot No. 16), Borough of Brooklyn; and

WHEREAS, after argument, this case was withdrawn on July 22, 1941, on request of applicant; and

WHEREAS, this case was reopened on October 7, 1941, by vote of the Board for reconsideration and on June 23, 1942 this appeal was denied; and

WHEREAS, the applicant requested a further reopening of the appeal and reconsideration based on a new decision of the borough superintendent and this case was reopened on September 9, 1942, subject to usual procedure; and

WHEREAS, the new decision of the borough superintendent, on B. N. Application No. 1654-42, dated July 7, 1942, reads:

"1. Proposed use is contrary to Article II, Section 3 (9a)."

and

WHEREAS, the applicant now contends that at the previous hearing before the Board on June 23, 1942, witnesses were produced who testified as to the use and occupation of the garage in question; that the Board denied the appeal on the grounds that the applicant did not prove use prior to 1916 as a five car garage; that thereafter, application was made to the borough superintendent for a permit for a three car garage and such application was denied by the borough superintendent and the applicant now appeals from such denial; and

WHEREAS, the applicant further contends that the building in question is located in the rear of premises 121 Bay 23rd street; that Certificate of Occupancy is sought for the use of such building for a three car garage for parking of three automobiles and for the rental of more than one space; that the present owner holds title by purchase from his father, Benjamin Leeman, by deed dated April 7, 1942; that Benjamin Leeman took title in 1918 at which time the dwelling was occupied by two families; that the dwelling and the garage were both frame structures built prior to 1900; that Benjamin Leeman has occupied the premises since 1914 and continuously to date; that the structure in the rear of the premises as shown on plans filed with the borough superintendent under B. N. 1007-41, is divided into two sections; in the northerly section there were stored for rent three automobiles from 1914 to date; that it is now contended, that upon the evidence presented to the Board at the prior hearing, that the owner is entitled to continue the use of this garage for the storage of three automobiles for rent; that this application is substantiated by section 6 of the amended zoning resolution, which permits a use prior to 1916 to continue although it is not conforming and it is submitted that the evidence, as to the northerly section of the structure under consideration showing the storage of three automobiles prior to 1916, supports the request for a Certificate of Occupancy as a legal use; and

WHEREAS, these premises were the subject of an inspection by a committee of the Board, report of which committee reads as follows:

REPORT OF COMMITTEE.

November 23, 1942.

Re: Cal. No. 584-41-A.

Premises 121 Bay 23rd Street, Brooklyn

This appeal is from a decision of the Borough Superintendent, denying the issuance of a Certificate of Occupancy for "storage and parking of three automobiles" in the existing frame structure located in the rear of the lot (Application No. 1654 of 1942). A previous appeal was withdrawn and which was from a denial for a Certificate of Occupancy for five automobiles in these structures (Application No. 1007 of 1942).

The lot is approximately 50 ft. front by 98 ft. deep, located in a residence, D area district. On the lot is a 2½ story frame dwelling and along the rear lot line a 1½ story frame building, occupied as a stable under

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permit from the Department of Health until 1931 and since as an accessory garage for two automobiles. Adjoining is a one-story building occupied for three cars. Records are not available to show the date of erection of these buildings, but upon inspection, the Committee believes that the statement made that these structures were erected prior to the adoption of the Zoning Resolution in 1916 is correct. The applicant's claim that three garage spaces have been rented out since prior to 1916 is supported by affidavits, which the Committee believes are worthy of credence. While the Borough Superintendent was correct in denying the applications as presented, the Committee is of the opinion that the garage spaces for five automobiles should be legalized and permitted as accessory to the residential use prior to March 24, 1933. On that date the Zoning Resolution was amended to permit a private garage as accessory to a residential occupancy of three automobiles, whereas, formerly, five automobiles were permitted. In view of the affidavits submitted, renting of three garage spaces to outsiders not residing on the premises should be permitted to continue under the provisions of Section 6a. On the basis of these garages being classified as buildings accessory to the residence building, no Certificate of Occupancy should be issued, except for the residence building with the notation of the garage buildings accessory thereto as herein recommended.

(Sgd.) HARRIS H. MURDOCK,
Chairman,

BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

JOHN E. GUNN,
Deputy Fire Chief.

Resolved, that the decision of the borough superintendent on B. N. 1654-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises shall be occupied in accordance with the Report of the Committee; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

475-42-A.

APPLICANT—Stanley Casazzone, for Antonio Fecci, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—146 Hendricks avenue, south side, 197.75 ft. west of Jersey street (Block No. 44, Lot No. 17), New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: Stanley Casazzone and Antonio Fecci.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (475-42-A)

WHEREAS, Stanley Casazzone, for Antonio Fecci, owner, filed June 16, 1942, an appeal from a decision of the borough superintendent; premises 146 Hendricks avenue, south side, 197.75 ft. west of Jersey City (Block No. 44, Lot No. 17), New Brighton, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent, dated October 5, 1942, re B. N. Applic. 517-42, reads:

"This structure was converted from an old law tenement to two family occupancy and Certificate of Occupancy #595/1936 issued for such use.

Application denied unless Certificate of Occupancy is revoked by Board of Standards and Appeals."

and
WHEREAS, the applicant states the building is three stories (36 ft.) in height, 20.6 ft. by 38.6 ft. in area; of Class 4 construction; erected in 1898; located in a residence use district; occupied: cellar, storage and boiler room; 1st floor and 2nd floor combined, one family; 3rd floor, one family; proposed to be occupied: cellar, same; 1st floor, 1 family; 2nd floor, one family; 3rd floor, one family; and

WHEREAS, a Violation was issued May 20, 1942 by the Division of Housing, stating that the premises have been converted to a Class A multiple dwelling without obtaining a certificate of occupancy; and

WHEREAS, the applicant contends that the certificate of occupancy for the two-family dwelling should not have been issued as the building never ceased to be arranged, intended or designed for occupancy as a multiple dwelling; that for these reasons, it is requested that Certificate of Occupancy No. 595 issued Nov. 9, 1936 on Alteration 315/36, be revoked, so that the owner may be permitted to restore the building to three families and comply with the Multiple Dwelling Law for such use; and

WHEREAS, the applicant has filed in support of this application, a communication from the Staten Island Edison Corp., certifying that electric service was supplied to three individual tenants, one on each of the 1st, 2nd and 3rd floors; and

WHEREAS, the applicant has filed a copy of communication from the Dept. of Water Supply, Gas and Electricity, certifying that the premises are being charged for water as a three family house.

Resolved, that the decision of the borough superintendent on B. N. Applic. No. 517-42 be and it hereby is *modified* and that the appeal be and it hereby is *granted* revoking Certificate of Occupancy No. 595-36, so as to permit the building formerly an Old Law Tenement, to be restored to such occupancy when made to comply with Article 7 of the Multiple Dwelling Law.

716-42-S.

APPLICANT—Frank S. Parker, for Warren Service Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—3280-3290 Broadway, 122 West 133rd street, southeast corner and 90-100 Old Broadway (Block No. 1986, Lot No. 65), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank S. Parker and Charles Abernathy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (716-42-S)

WHEREAS, Frank S. Parker, for Warren Service Corporation, owner, filed on September 30, 1942, an application for variation of the requirements of the Labor Law, as cited in a decision of the borough superintendent, affecting premises 3280-3290 Broadway, 122 West 133rd street, southeast corner and 90 to 100 Old Broadway (Block No. 1986, Lot No. 65), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated September 28, 1942, on Alt. Applic. No. 1150-42, reads:

"The proposed number of occupants on 3rd floor to 6th floor, inclusive, exceed the capacity of stairs."

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and

WHEREAS, the applicant states that the building is 7 stories (91 ft.) in height; 199 ft. 10 in. by 185 ft. in area; of Class 1 construction; erected 1927; located in an unrestricted use district and occupied: Cellar to 6th stories, inclusive, automobile service station, repair shop and show-rooms, 35 persons in the cellar, 30 persons on each of the first to sixth floors, and 7th floor, offices, 80 persons; and proposed to be occupied—cellar to sixth floors, inclusive, factory, 7th floor, offices; 85 persons on the cellar floor; 85 persons on the first floor; 90 on the second floor; 290 on the third floor; 290 on the fourth floor; 290 on the fifth floor; 185 on the sixth floor and 160 on the seventh floor; that the building is equipped with sprinkler system, standpipe system, interior fire alarm system and fire drills will be maintained; that there are two 3 ft. 9 in. fireproof stairs, one of which leads to roof and both of which lead direct to street; and

WHEREAS, the applicant contends that the number of occupants proposed for the third to sixth floors, inclusive, exceeds that allowed by the Labor Law for two stairs; that the ramp is legally shut off between all floors, providing horizontal exit to the floor above or below; that the slope of the ramp is about one in ten, which is less than the maximum permitted by the Building Code for ramps in legal exits; that the building is equipped with a two-source approved sprinkler system; that the two stairs would permit an occupancy of 162 persons; that the tenants, the WPA will not allow a subdividing wall with horizontal openings and object to the loss of floor space required for the construction of additional hall space.

Resolved, that the Board of Standards and Appeals does hereby *make a temporary variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent acting on Alt. Applic. No. 1150-42, and that the application be and it hereby is *granted on condition* that the two stairways shall be maintained in accordance with the lawful requirements therefor substantially as indicated on plans filed with this application marked "Received November 19, 1942" and that the automobile ramp exiting to Old Broadway shall be maintained of present width throughout, substantially as indicated on such plans, except that the rolling steel shutter at the intermediate landing at each floor shall be blocked in the open position and a partition of approved masonry shall be constructed continuously across the ramp with two doors therein, each door opening not less than 3 ft. 8 in. in width and with double-acting doors or single acting doors opening in the direction of exit and self-closing; that such opening assemblies shall be approved for one and one-half hour use, except that the bucks and trim may be of kalamein not less than 24 gauge; that the occupancy per floor with such exits shall at no time exceed 300 persons; that the sprinkler system, standpipe system, interior fire alarm system and fire drills shall be maintained to the satisfaction of the fire commissioner; that this variance shall continue only during the term of the present lease expiring June 30, 1943 and while the building is occupied during such term as herein proposed for a WPA project.

729-42-S.

APPLICANT—Abraham Farber, for Etched Products Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—39-01 Queens boulevard and 43-29 39th street, northeast corner (Block No. 191, Lot No. 5), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Abraham Farber.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (729-42-S)

WHEREAS, Abraham Farber, for Etched Products Corporation, owner, filed October 9, 1942, an application for variation of the Labor Law, as cited in a decision of the borough superintendent, premises: 39-01 Queens Boulevard and 43-29 39th street, northeast corner (Block No. 191, Lot No. 5), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated October 7, 1942, re Alt. Appli. No. 1727-42, reads:

"Obj. No. 3—All windows on first floor required to be open and accessible, wire guards on windows contrary to sect. 272, Paragraph 3 of Labor Law."

and

WHEREAS, the applicant states the building is two stories (30 ft.) in height, 100 ft. by 240 ft. in area; of Class 1 construction; erected in 1925; located in an unrestricted use district and used as follows: cellar, boiler room and storage; 1st floor, manufacturing etched metal products, 125 persons; 2nd floor, etched metal products, 100 persons; that no change in use is proposed; that the occupancy of the 1st floor will be increased to 150 persons; that no certificate of occupancy has been issued; that the building is equipped with a 2-source wet sprinkler system, interior fire alarm with central station connection hooked up with sprinkler system; that no fire drills are maintained; that there are three 44 in. fireproof stairs, one of which goes to roof and two lead directly to street; and

WHEREAS, the applicant contends that the building is used for the manufacture of war products; that the War Dept. has suggested to the owner that heavy wire mesh screen guards bolted, be installed on all outside windows on the first story as protection from sabotage; that all the windows in the building are steel factory sash type with only a small pivoted section at top for ventilation and were never intended as a means of egress; that in view of these facts, permission is requested to maintain the heavy wire mesh bolted window guards on all the outside Fenestre sash steel windows on 1st floor.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent on Alt. Applic. No. 1727-42, and that the application be and it hereby is *granted* as to Objection No. 3 *on condition* that the window screens are maintained substantially as proposed; that all exits shall be maintained as indicated on plans filed with this application marked "Received October 9, 1942"; that a door shall be installed in the partition in the lacquer room and also in the partition in the buffing room, to permit an additional exit to the adjacent exit door leading to the street; that a Certificate of Occupancy for the building shall be obtained; that the sprinkler system, interior fire alarm system with central station connection and fire drills shall be maintained to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

771-42-S.

APPLICANT—Reuben Rappaport, for West Broadway Realty Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—462 West Broadway, west side, 240 ft. 17½ in. south of West Houston street (Block No. 516, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Reuben Rappaport.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

Negative: 0

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THE RESOLUTION (771-42-S)

WHEREAS, Reuben Rappaport, for West Broadway Realty Corporation, owner, filed on November 2, 1942, an application for variation of the labor law as cited in a decision of the borough superintendent; premises 462 West Broadway, east side, 240 ft. 17 $\frac{3}{8}$ in. south of West Houston street (Block No. 516, Lot No. 31), Borough of Manhattan; and WHEREAS, the decision of the borough superintendent, re Alt. Applic. No. 1059-42, dated October 29, 1942, reads: "7. Kalamein jambs and trim for doors required to be one hour fire test can not be accepted. Rule 507 Industrial Code."

WHEREAS, the applicant states the building is five stories (57 ft.) in height, 25 ft. by 75 ft. in area at 1st floor, 25 ft. by 69 ft. in area at typical floor; of Class 3 construction; located in an unrestricted use district; erected in 1890 and used as follows: Cellar, storage; 1st floor, store; 2nd to 4th floors, factory; proposed to be used and occupied as follows: cellar, storage; 1st floor, store, 30 persons; 2nd and 3rd floors, factory, one tenant, 20 persons on 2nd and 3rd floor; that on October 5, 1942, the 5th and roofers of beams were burned out and an unsafe order was issued; that it is now proposed to remove the upper parts and all of the building down three stories in height, equip with one 44 in. wide stairs with fire-retarded enclosure equipped with one-hour test fireproof self-closing doors and extending from new roof level to street and one fire escape front of building extending to third story and to street by counterbalanced stairs; that windows on the course of fire escape will be fireproof, self-closing; and

WHEREAS, the applicant contends that the War Production Board has curtailed the manufacture of steel bucks for one-hour fire doors, therefore permission is requested to substitute kalamein jambs and trim on the stair enclosure openings.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent re Alt. Applic. No. 1059-42, and that the application be and it hereby is *granted* as to Objection No. 7 *on condition* that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable hereto; that the sheet steel covering of jambs and trim for doors shall not be less than 24 gauge and well painted inside and outside before forming; that in all other respects, the opening door assembly shall be of a type as approved by the Board for the proposed use.

773-42-S.

APPLICANT—Lawrence D. Mayer, for Haslef Realty Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—148-152 West 37th street, south side, 75 ft. east of Seventh avenue (4th, 7th and 11th floors); (Block No. 812, Lot No. 69), Borough of Manhattan.

APPEARANCES—

For Applicant: Lawrence D. Mayer.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (773-42-S)

WHEREAS, Lawrence D. Mayer, for Haslef Realty Corporation, owner, filed on November 4, 1942, an application for variation of the requirements of the Labor Law, as cited in a decision of the borough superintendent, affecting premises 148-152 West 37th street, south side, 75 ft. east of Seventh

avenue (4th, 7th and 11th floors); (Block No. 812, Lot No. 69), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated October 30, 1942, on B. N. No. 3186-42, reads:

"1. Provide a safe and continuous passageway to fire tower for the occupants in the front part of the floors, 4th, 7th and 11th, as per Spec. 272-i Labor Law." and

WHEREAS, the applicant states that the building is 14 stories (165 ft.) in height; 66 ft. 11 in. by 98 ft. 9 in. in area; at first floor, 66 ft. 11 in. by 88 ft. 9 in. in area at typical floor; of Class 1 construction; erected 1923; located in a business use district and occupied: cellar, storage and boiler room, 5 persons; first floor, stores, 60 persons; mezzanine, storage, 15 persons; second to 14th floors, inclusive, showrooms, offices, manufacturing, not more than 25% of floor area, 70 persons on each floor; that the building is equipped with a sprinkler system, standpipe system, interior alarm system and fire drills are maintained; that there are two fireproof stairs, 3 ft. 8 in. wide leading from roof to street; and

WHEREAS, Violation No. 31 of 1942 was issued January 6, 1942, for not providing two unobstructed means of egress for occupants at front of building on fourth, seventh and 11th floors as required by the Labor Law; and

WHEREAS, the applicant contends that it is proposed on the 4th and 7th stories, to cut openings in present gypsum block partitions between front and rear units of space and install steel buck and 3 ft. 8 in. by 7 ft. kalamein doors with safety glass panel and on the 11th floor; that it is proposed to remove present kalamein panel on present door of rear unit and replace with safety glass panels; that these doors will provide unobstructed egress to rear unit on each of floors in question to the fire tower, which in addition to the existing means of egress, will provide two unobstructed means of egress to occupants of front units; that these doors will be kept unlocked until the close of business each day; that the safety glass panels are intended as an added precaution in the case the rear units are closed while the front units are open, so that in such case, the occupants of the front units may break the glass panels and open the doors, thus gaining access to the fire tower in the event of an emergency; and

WHEREAS, in the opinion of the Board, fireproof passageways can and should be provided, so as to provide the required exits for each subdivided area.

Resolved, that the decision of the borough superintendent, on B. N. No. 3186-42, Objection No. 11 be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

797-42-A.

APPLICANT—Daniels and Kennedy, Inc., lessee, for Arbuckle Brothers, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—20-40 Jay street, southwest corner of John street, entire block bounded by Jay street, John street, Pearl street and Plymouth street (Block No. 19, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Milton Brown.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (797-42-A)

WHEREAS, Daniels and Kennedy, Inc., lessee, for Arbuckle Brothers, owner, filed on November 13, 1942 an appeal from a decision of the borough superintendent affecting premises 20-40 Jay street, entire block bounded by Jay street, John

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street, Pearl street and Plymouth street (Block No. 19, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated November 13, 1942 on Elevator Applic. No. 2999-42 reads:

"This elevator must comply with all the requirements of Article 14 of Building Code."

and

WHEREAS, the applicant states that the building is 10 stories (approximately 150 ft.) in height, 200 ft. by 200 ft. in area, of class 1 construction, erected in 1900, located in an unrestricted use district and occupied throughout for a warehouse; and

WHEREAS, it is proposed to install a Hod Hoist in the present escalator shaft which is about 5 ft. 6 in. wide and 8 ft. long; and

WHEREAS, the applicant contends that the proposed hoist is for the purpose of lifting merchandise for the United States Government in connection with the war effort; and

WHEREAS, the premises were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that if an elevator is installed, it should comply with the requirements therefor and that the temporary expedient proposed should not be permitted, inasmuch as the Board has ascertained that serviceable used elevator equipment is available.

Resolved, that the decision of the borough superintendent, on Elevator Applic. No. 2999-42, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

807-42-S.

APPLICANT—Bartley Brothers Builders, Incorporated, for Steinway and Sons, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—45-02 Ditmars boulevard, southeast corner of 45th street (Block No. 769, part of Lot No. 1); (Building C); Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Harold S. Bartley.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (807-42-S)

WHEREAS, Bartley Brothers Builders, Inc. for Steinway and Sons, owners, filed on November 19, 1942 an application for variation of the requirements of the Labor Law as cited in a decision of the fire commissioner, affecting premises 45-02 Ditmars boulevard, southeast corner of 45th street (Block No. 769, part of Lot No. 1): (Bldg. C), Astoria, Borough of Queens; and

WHEREAS, the decision of the fire commissioner dated November 19, 1942 reads:

"In response to your request of November 19th, 1942, for permission for your employees to smoke in the above-mentioned premises, you are advised that your application must be denied, for the reason that smoking is prohibited in all factories by the provisions of the State Labor Law with the exception of those plants specified in the rules of the Board of Standards and Appeals, which does not include you occupancy."

WHEREAS, the applicant states that the building is 5 stories and basement, (68 ft.) in height, 63 ft. by 200 ft. in area, of class 3 construction, erected about 1900, located in an unrestricted use district and occupied as follows: west wing which is the wing in question—basement—boiler room and machine shop—12 persons; 1st floor—office and loading platform—30 persons; 2nd floor—repair and storage

of pianos—4 persons; 3rd floor—manufacture of pianos—8 persons; 4th floor—vacant; 5th floor—vacant; penthouse—(located at center of building between wings) drafting room and research—4 persons and proposed to be occupied as follows: basement—same; 1st floor—same; 2nd floor—same; 3rd floor—same; 4th floor—factory to the limit of the capacity of the exits; 5th floor—factory to the limit of the capacity of the exits; penthouse—vacant; east wing—basement—boiler room, machine shop and storage—persons; 1st floor—vacant; 2nd floor—vacant; 3rd floor—manufacturing and repairing of pianos—8 persons; 4th floor—manufacturing of gliders—150 persons; 5th floor—sprinkler booth—3 persons; penthouse (center between wings) drafting—4 persons; proposed to be occupied: basement—same; 1st floor—office—70 persons; 2nd floor—vacant; 3rd, 4th, 5th and penthouse floors—same; that building is equipped with a sprinkler system, standpipe system, interior fire alarm system; that fire drills are not maintained; that there are four fire towers and two interior stairs; that the fire towers are of steel construction, interior stairs are wood, brick enclosed, equipped with fireproof self-closing doors; and

WHEREAS, the applicant contends that the portion which it is proposed to use for smoking located on the first floor, north section of west wing, as indicated on plans filed with this application, is separated from the balance of the first story by fireproof doors and by a partition constructed of wood studs surfaced on the office side with 1/2 in. planks and on the storage side with 7/8 in. tongue and groove boards; that this partition extends to the ceiling and all office partitions located within the office portion, extend to the ceiling and are so arranged as not to interfere with the operation of the sprinkler system; that the ceiling of the office portion is covered with pressed metal.

Resolved, that the Board of Standards and Appeals do hereby make a variation in the requirements of the Labor Law as cited in a decision of the fire commissioner dated November 19, 1942, and that the application be and it hereby is *granted on condition* that no smoking shall be permitted in any part of the factory except in the space on the first floor, as indicated on plans filed with this application marked "Received November 19, 1942" and occupied only as executive offices and for the clerical force; that signs shall be conspicuously maintained notifying all persons that no smoking shall be permitted elsewhere in the factory beyond the confines of this office space; that in all other respects, building and occupancy shall comply with all other laws, rules and regulations applicable thereto.

808-42-S.

APPLICANT—Bartley Brothers Builders, Incorporated, for Steinway and Sons, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—Northwest corner of 19th avenue and 38th street (Block No. 814, Lot No. 1) (Building 1-A), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Harold S. Bartley.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock and Deputy Chief Gunn 4

Negative: Commissioner Blum 0

Not Voting: Commissioner Savage..... 0

THE VOTE TO RECONSIDER—

Affirmative: Chairman Murdock, Commissioners Savage and Deputy Chief Gunn..... 0

Negative: Commissioner Blum 0

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Deputy Chief Gunn..... 4

Negative: Commissioner Blum 0

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THE RESOLUTION (808-42-S)

WHEREAS, Bartley Brothers Builders, Inc., for Steinway and Sons, owner, filed on November 19, 1942, an application for variation of the requirements of the Labor Law as cited in a decision of the fire commissioner, affecting premises: northwest corner of 19th avenue and 38th street (Block No. 814, Lot No. 1); (Bldg. 1A), Astoria, Borough of Queens; and

WHEREAS, the decision of the fire commissioner dated November 19, 1942 reads:

"In response to your request of November 19, 1942 for permission for your employees to smoke in the above-mentioned premises, you are advised that your application must be denied, for the reason that smoking is prohibited in all factories by the provisions of the State Labor Law with the exception of those plants specified in the rules of the Board of Standards and Appeals which does not include your occupancy."

WHEREAS, the applicant states that the building is 1 story (15 ft.) in height, 75 ft. by 45 ft. in area, of class 3 construction, erected about 1900, located in an unrestricted use district and occupied for offices—42 persons; that the building is equipped with a sprinkler system and interior fire alarm system; and

WHEREAS, the applicant contends that no factory work is carried on in this building; that the building is sprinklered and separated from Building No. 1, which is used as a store room, by a kalamein door; that partitions in the building in question are wood, 7 ft. in height and do not interfere with the operation of the sprinkler system and that the building has three exits.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law as cited in a decision of the fire commissioner dated November 19, 1942, and that the application be and it hereby is granted on condition that no smoking shall be permitted except in the space as proposed as indicated on plans filed with this application marked "Received November 19, 1942", in the building described as a one story building occupied for offices only; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

13-42-A.

APPLICANT—John Lowry, for New York University, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—North side of West 180th street, 245 ft. west of University avenue (Block No. 3222, Lot No. 40), Borough of The Bronx.

APPEARANCES—

For Applicant: John Lowry and C. F. Dalton.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (813-42-A)

WHEREAS, John Lowry, for New York University, owner, filed on November 20, 1942, an appeal from a decision of the acting borough superintendent, affecting premises: North side of West 180th street, 245 ft. west of University avenue (Block No. 3222, Lot No. 40), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent dated November 17, 1942, on N. B. Applic. No. 169-42, reads:

"1. Proposed public building, more than 6,000 sq. ft. in area, must be of Class I or Class II construction, as per Section 4.2.1 of the Building Code.

2. All bearing walls of hollow masonry, must be at least 10" thick, as per Section S.4.3.2.6 of the Building Code."

and

WHEREAS, the applicant states that the proposed building will be one story, (18 ft.) in height; 109 ft. 3 in. by 115 ft. in area; of Class 3 construction; located in a residence use district; and occupied as a mess hall, 500 persons; and

WHEREAS, the applicant contends that New York University has been assigned approximately 500 air corps cadet students for training, requiring the immediate construction of a temporary mess hall; that the time, cost and materials available will not permit the construction of a fireproof structure for this temporary use; that the walls involved in no case extend more than one story and only support a comparatively small part of the roof of the proposed building, the main roof being supported by interior columns; that the proposed building will be constructed with concrete foundation walls, concrete floor on earth, cinder block exterior walls and bearing walls, wood roof frames and five ply felt and pitch roofing.

Resolved, that the decision of the acting borough superintendent, on N. B. Applic. No. 169-42, Objection Nos. 1 and 2, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the building shall be constructed substantially as proposed except that all exterior bearing walls may be of masonry consisting of solid cinder blocks or equipment not less than 8 in. in thickness; that automatic fire protection shall be provided in the kitchen, consisting either of sprinkler heads fed from the domestic water supply or of fire extinguishers of the gas actuated automatic type; that a plan showing the location of such protection shall be filed with the Board for approval; that this building shall be occupied only as proposed and during the term of the present emergency, and shall be completely removed upon the termination thereof.

655-42-A.

APPLICANT—Alfred H. Eccles, for I. Miller and Sons, Incorporated, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (655-42-A)

WHEREAS, Alfred H. Eccles, for I. Miller and Sons, Inc., owner, filed September 2, 1942, an appeal from a decision of the borough superintendent affecting premises 43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, this appeal was granted by the Board on September 15, 1942, on certain conditions and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on September 15, 1942, only so far as it has reference to the drying wells, so that as amended, this portion of the resolution shall read:

"* * * that the drying wells, indicated to be carried above the proposed roof, shall be of similar construction as above provided, and may be of horizontal area of approximately 17 ft. by 17 ft. each * * *."

MINUTES

656-42-S.
APPLICANT—Alfred H. Eccles, for I. Miller and Sons, Incorporated, owner.
SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.
PREMISES AFFECTED—43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Alfred H. Eccles.
ACTION OF BOARD—Appeal reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (656-42-S)

WHEREAS, Alfred H. Eccles, for I. Miller and Sons, Inc., owner, filed September 2, 1942, an application for variation of the requirements of the Labor Law, as cited in a decision of borough superintendent, affecting premises 43-10 23rd street, northwest corner of 44th avenue (Block No. 440, Lot No. 1), Long Island City, Borough of Queens; and
WHEREAS, this application was granted by the Board on September 15, 1942, on certain conditions and the applicant requested an amendment of the resolution.
Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on September 15, 1942, only so far as it has reference to compliance with the resolution adopted under Cal. No. 655-42-A, so that as amended, this portion of the resolution shall read:
“* * * *Granted on condition* that the requirements of the resolution adopted under Cal. No. 655-42-A, as amended November 24, 1942, shall be complied with * * *.”

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.
289-41-SM.
APPLICANT—The National Lime and Stone Company, owner.
SUBJECT—Monarch Hydrated Finishing Lime, Monarch Masons Lime and Monarch Brick Mortar, Approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (289-41-SM)

WHEREAS, The National Lime and Stone Company, owner, filed on April 7, 1941, an application with the Board of Standards and Appeals for approval of the material known as the Monarch Hydrated Finishing Lime, Monarch Masons Lime and Monarch Brick Mortar; and
WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and
WHEREAS, the report of the Committee on Tests reads:
REPORT OF COMMITTEE ON TESTS.
November 13, 1942.
Cal. No. 289-41-SM.
Subject: Monarch Hydrated Finishing Lime.
Monarch Masons Lime.
Monarch Brick Mortar (40% Portland and 60% Finishing Hydrated Lime).

The National Lime and Stone Company of Findlay, Ohio, filed on April 7, 1941 an application with the Board of Standards and Appeals for approval of their materials as listed above.
These materials are for use in the finish coat of plastered surfaces, under the provisions of Sections C26-312.0, a (7.1.1.7.1) and C26-463.0 (8.4.10.7) Administrative Building Code, including compliance with the New York Plastering Law, known as Law of 1911, Chapter 156; and, for use in mortar under the provisions of Section C26-313.0, a, b, c, d (7.1.1.8.1; 7.1.1.2.2; 7.1.1.8.3 and 7.1.1.8.4), Administrative Building Code.
This lime product is manufactured at Findlay, Ohio, from a dolomitic limestone deposit; the company owns sufficient acreage to operate the plant for over 100 years. The limestone is taken from an open quarry with a 60 ft. face, the seams of the stone run from 3 to 6 ft. in thickness and are solid. The stone is broken loose from the face by well drill blasting and is further reduced by secondary drilling to a size that will go through the crusher. The stone is hoisted to the primary crushers and after crushing is run over a scalping screen where it is properly sized. From this point it is hoisted to vertical kilns and fed into the top and burned into lime. These kilns are of the Arnold type. While in the kilns daily samples are taken to check CO² as a further control in the burning process.
The lime as burned is passed along on a conveyor and examined by inspectors who sort out partially burned or discolored pieces and reject them. After this inspection, the lime goes across a poidometer where correct amount of lime and water is proportioned. It then goes to a Schaeffer continuous Hydrator. The water for hydration is measured and run into a tray of the hydrator with the lime, it is plowed to the outside of the tray and drops to a second tray and so on down to the 5th tray (this hydrator is under pressure during this operation). The lime reacts immediately with the water and the hydrator is run until the lime is thoroughly hydrated and agitated until the heat of hydration dries off the excess moisture. The lime then goes to storage bins for aging; after a sufficient period it is taken from the bins by means of conveyors and elevators into a Raymond Ring Roll pulverizer where it lays and grinds until light enough to be carried out on a given column of air to the packing bins to be bagged for shipment.
Tests
Samples of this material were selected at the plant of the applicant at Findlay, Ohio, and tests were conducted at the Ohio State University in accordance with ASTM specification C-6-31 with the following results:
Hydrated Finishing Lime
Specifications
A.S.T.M. & Federal
Test
1. Chemical Analysis (non-volatile basis)
CaO MgO 96.9%
CO₂ 0.65%
2. Fineness
on 30 mesh nil
on 200 mesh 2.5
3. Consistency of sound
Volume (No visible effect on steaming)
(Sound-ness) steaming)
4. Plasticity (Emley)
Number 266
CaO MgO 97.6
CO₂ 1.1
Specifications
C-6-31 and SS-L-351 Type F (both identical)
Not less than 95 on non-volatile basis
Not over 5% on non-volatile basis.
Not over 0.5%
Not over 15%
No visible effects (popping or disintegration) on steaming
200 or more
Masons Lime
Not less than 95 on non-volatile basis
Not over 5% on non-volatile basis

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Fineness		
On 30 mesh	0.0	Not over 0.5%
On 200 mesh	7.3	Not over 15%
Consistency of:		
Volume		No visible effects (popping
Soundness	Sound	or disintegration) on steam-
		ing
Plasticity		
(Emley)		
Number	213	200 or more

Results of Standard Test on Monarch Brick Mortar:

The brick mortar in question is a Portland Cement and Finishing Hydrated Lime combination with 40% Portland Cement, and 60% Finishing Hydrated Lime by volume. These two materials are ground together with no additions of plasticizer or adulterating materials.

A. Compression tests on 1:1:0 mix as per Fed. Spec. SS-C-181b, Type II		
	Compression Strength Obt'd.	Compression Strength Req'd.
7 day test	1388 lbs./sq. in.	500 lbs./sq. in.
28 day test	1935 lbs./sq. in.	1000 lbs./sq. in.

MASONRY MORTAR

Tests based
on Fed. Spec.
SS-C-181b for
Type 2 Mortar

MASON SAND	
Total passing No. 4 sieve.....	100.00%
Total passing No. 16 sieve.....	92.82
Total passing No. 100 sieve.....	6.92
Decantation	1.44
Organic Matter	O.K.
Consistency as measured by flow table...	100.00%
Flow after retention on standard porous plate	75.00
Percent of original flow.....	75.00

FINENESS:	
Retained on #200 sieve.....	2.98%

SETTING TIME:	
Initial Setting Time.....	6 hr. 25 min.
Final Setting Time	19 hr. 50 min.
Soundness	Firm and Hard.

Mix #1: 1 part Masonry Cement (by weight)
3 parts Standard Ottawa Sand (20-30)

COMPRESSIVE STRENGTH (2" cubes)

	Lbs./sq. in.	
3 Day	7 Day	28 Day
675	945	1375
690	970	1360
650	1030	1430
672 Avg.	982 Avg.	1388 Avg.

Mix #2: 1 part Masonry Cement by weight
3 parts Standard Ottawa Sand (20-30)

COMPRESSIVE STRENGTH (2" cubes)

	Lbs./sq. in.	
3 Day	7 Day	28 Day
707	1155	1840
660	1085	1815
705	1060	1765
691 Avg.	1100 Avg.	1807 Avg.

Mix #3: 1 part of Masonry Cement (by weight)
3 parts of Mason Sand.

COMPRESSIVE STRENGTH (2" cubes)

	Lbs./sq. in.	
3 Day	7 Day	28 Day
617	1025	1747
640	1020	1775
635	1050	1777
631 Avg.	1032 Avg.	1766 Avg.

Tensile Strength:

7 days	218 p.s.i.
28 days	308 p.s.i. required 125 p.s.i.

Remarks:

Sample No. 1 cured in accordance with specification requirements.

Sample No. 2 cured 48 hours in moist room and specimens were in and out of moist room on alternate days for full test periods.

Sample No. 3 cured same as No. 2. Specimens of Sample No. 3 made with Mason Sand from Lake Erie at Toledo, Ohio.

Both samples No. 2 and 3 approximate job conditions, particularly Sample No. 3.

Material complies with Federal Specifications SS-C-181b, Part II.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends that Monarch Hydrated Finishing Lime, Monarch Masons Lime and Monarch Brick Mortar be approved for use in New York City pursuant to Section C26-178.0,b for use in masonry mortar under C26-313.0,b,c. for use as a hydrated lime in mortar under C26-312.0,b as a finishing lime under C26-463.4.0 Administrative Building Code when maintained to the specifications contained herein and prepared in a manner hereafter set forth provided that monthly mill test reports from the mill, certified by the applicant's chemist, be filed with the Board and that all bags, and barrels be tagged, labeled or marked "Approved by the Board of Standards and Appeals for use in New York City when used in accordance with the requirements of Cal. No. 289-41-SM."

It is further recommended that in using these materials precautions shall be taken as follows during the slaking:

HYDRATED LIME FOR FINISH COAT

1. Add the water to the lime, not the lime to the water.

2. Put the required amount of water (5 to 6½ gallons per 50-pound bag) in the container and add hydrated lime, screening it through herringbone lath until the hydrated lime appears above the surface of the water; then place dry hydrated lime over the entire surface of the hydrated lime in the box to take up excess water and giving a medium stiff putty.

3. Store for at least 24 hours prior to using.

4. In the finish coat, use one part dry gauging plaster to three parts lime putty by volume, or 25 to 80 pounds lime putty to 100 pounds Keene cement, the quantity of putty determining the hardness of the finish. For sand float finish, use one part lime putty to three parts of sand by volume, with water added to give proper consistency.

HYDRATED LIME FOR MASONRY MORTAR

1. As this is already slaked, put required amount of water in water-tight box; add hydrated lime by spreading the lime in the box until it appears above the surface of the water; then spread evenly sufficient quantity of dry lime over the entire surface to absorb excess water, continuing until a medium stiff putty is obtained.

2. Allow to stand for at least 24 hours to develop plasticity, protecting from frost and covering to prevent drying out.

The Board reserves the right to test these materials from time to time.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

MINUTES

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Monarch Hydrated Finishing Lime, Monarch Masons Lime and Monarch Brick Mortar, on condition that the material be manufactured and labelled, stamped or tagged in accordance with above report.

191-42-SA.

APPLICANT—Elevator Supplies Company, Incorporated, owner.

SUBJECT—E. S. Type "S" Elevator Interlocking Device, Hatchway Unit System, approval of.

APPEARANCES—

For Applicant: Frank S. Quinn and K. D. Light-hope.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gummi +
Negative: 0

THE RESOLUTION (191-42-SA)

WHEREAS, the Elevator Supplies Company, Incorporated, owner, filed on March 10, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the E. S. Type S Elevator Interlocking Device, Hatching Unit System; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 18, 1942.

Re: Cal. No. 191-42-SA.

Subject: E. S. Type S Elevator Interlocking Device, Hatchway Unit System, Approval of.

Elevator Supplies Company, Inc., of New York, N. Y. filed on March 10, 1942, with the Board of Standards and Appeals an application, under the requirements of Section C26-178.0b of the Administrative Code, for approval of its appliance, known as the E. S. Type "S" Elevator Interlocking Device, Hatchway Unit System for use in New York City under the pertinent requirements of the Administrative Building Code.

The E. S. Type "S" Elevator Interlocking Device Hoistway Unit System (Fig. 1) is a combination of an E. S. Door Closer, E. S. Quick Break Type "C" Switch and a Rack and a Pawl. The system is designed to prevent an elevator car from moving in the hoistway unless the doors at all floors are closed and locked, and consists of the following:

1. Toggle or lever arms are attached to the elevator door or doors, arranged in such a manner that when extended in a straight horizontal line, lock the doors closed. The doors are opened by forcing a handle or roller attached to the arms in a down direction, thus breaking the toggle arms from the straight horizontal line and permitting the doors to be opened.

2. An E. S. Quick Break Type "C" Switch is mounted to the angle iron door operator support and connected to the door operating arms by means of an adjustable rod and link.

3. A rack is fastened to the door sill or threshold and a pawl is fastened to the door.

The operation of this equipment is as follows:

Assume that the elevator has just come to a stop at a floor landing. The door will be closed and locked, as illustrated in Figure No. 1 of the attached drawing, with the door operating arms "C" locked in a straight horizontal line.

To open the door, pressure is applied to the handle or roller attached to the arms in a down and in the

direction that the door travels to open. This breaks the arms from the horizontal position, thereby unlocking the doors. When the doors are fully open the arms assume the position indicated by the dotted lines in Fig. No. 1.

A rod "D" is connected to the door operating arm "C" and switch link "E". Link "E" is connected to the rotor "F" in the type "C" switch as shown in Fig. No. 2. Here the doors are shown in the closed or locked position and it will be noted that the contactors "H" are making contact with the brass segments "G". Segments "G" are connected to each other and insulated from the rest of the rotor "F". The contactors "H" are connected to the elevator control circuit. Therefore, when they are in contact with segments "G" the circuit is completed and the elevator may run.

Fig. No. 3 shows the doors in the open position with arm "C" disrupted from the straight horizontal line. When arms "C" are in this open position, rod "D" has raised link "E", thereby causing link "E" to rotate rotor "F". Because of its outline rotor "F" forces contactors "H", which are held against segments "G" by compression springs, apart and as the segments "G" turn away from the contactors "H", the elevator circuit is broken and the car cannot move.

A rack "J" is fastened to the sill or threshold and a pawl "K" is fastened to the door. Fig. No. 3 shows the doors fully open with the pawl clear of the rack "J". As the door closes, the pawl "K" rides over the rack "J" as shown in Fig. No. 4. The rack and pawl are located in relation to each other in such a way that when the doors are within the locking zone, about 4" or less of the fully closed position, they will be as shown in Fig. No. 4. In this view it will be noted by the position of the pawl on the rack that the doors are locked and cannot be opened unless the doors are first fully closed, thereby bringing the arms "C" in a straight horizontal line and locking the doors.

When the doors are in the position shown in Fig. No. 4 the contactors "H" are just making contact with segments "G", thus completing the elevator control circuit. The doors are locked and the car may run.

This system was tested by the National Bureau of Standards (File VI-1/INM-83-C, letter dated February 24, 1942) for compliance with each of the following sections of the Administrative Code and has successfully met the requirements thereof:

A.—Endurance Test	Section C26-1180.0
B.—Current Interruption Test	" C26-1181.0
C.—Tests in Moist Atmosphere	" C26-1182.0
D.—Tests without Lubrication	" C26-1183.0
E.—Misalignment Test	" C26-1184.0
F.—Insulation Test	" C26-1185.0

These tests were run in accordance with the procedure outlined in Section C26-1179.0.

Recommendations

On the basis of the foregoing data, the Committee on Tests recommends the approval, under Section C26-191.0, of the E. S. Type "S" Elevator Interlocking Device Hatchway, Unit System as having met the requirements of Subarticle 9, Group 1 of Article 14 of the Administrative Building Code, for use in New York City, when installed in accordance with the pertinent provisions of the Administrative Building Code. The Committee further recommends that all appliances manufactured under this approval be stamped, marked or labelled "Approved by the Board of Standards and Appeals under Cal. No. 191-42-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

MINUTES

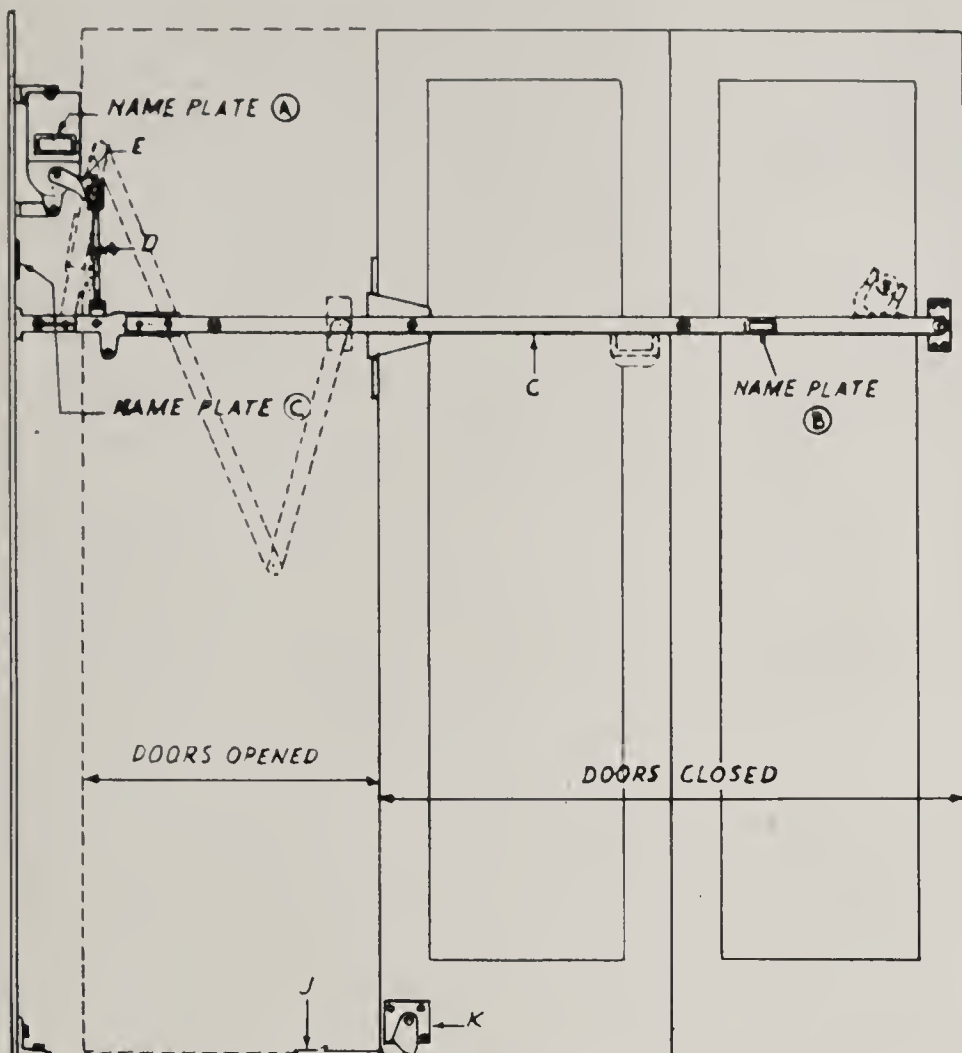


FIG. 1 - GENERAL ARRANGEMENT
2-SPEED DOOR SHOWN

10A. 110V. A.C. [ES] 1A. 110V. D.C.
7.5A. 220V. A.C. .5A. 220V. D.C.
POSITIVE ELECTRIC INTERLOCK
QUICK BREAK TYPE - C
PAT. JUNE 9, 1925
NOTE - ADJUST TO BREAK CIRCUIT
WHEN DOOR IS OPENED 2 INCHES
ELEVATOR SUPPLIES COMPANY INC.
RAHWAY, N. J.

NAME PLATE (A)

[ES]
ELEVATOR DOOR CLOSER
PAT. 11-17-25 - 8-10-26
OTHERS PENDING TYPE - S
ELEVATOR SUPPLIES CO., INC.
RAHWAY, N. J.

NAME PLATE (B)

[ES] TYPE 'S' ELEVATOR INTERLOCKING DEVICE
HOISTWAY UNIT SYSTEM, A COMBINATION OF
E-S TYPE 'S' DOOR CLOSER, E-S QUICK BREAK
TYPE 'C' SWITCH AND RACK AND PAWL
ELEVATOR SUPPLIES COMPANY, INC.
RAHWAY, N. J.

NAME PLATE (C)

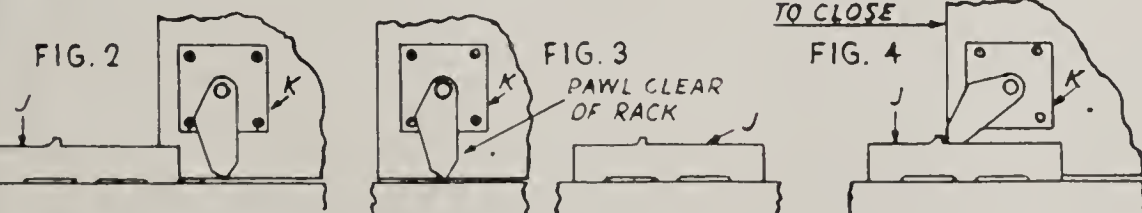
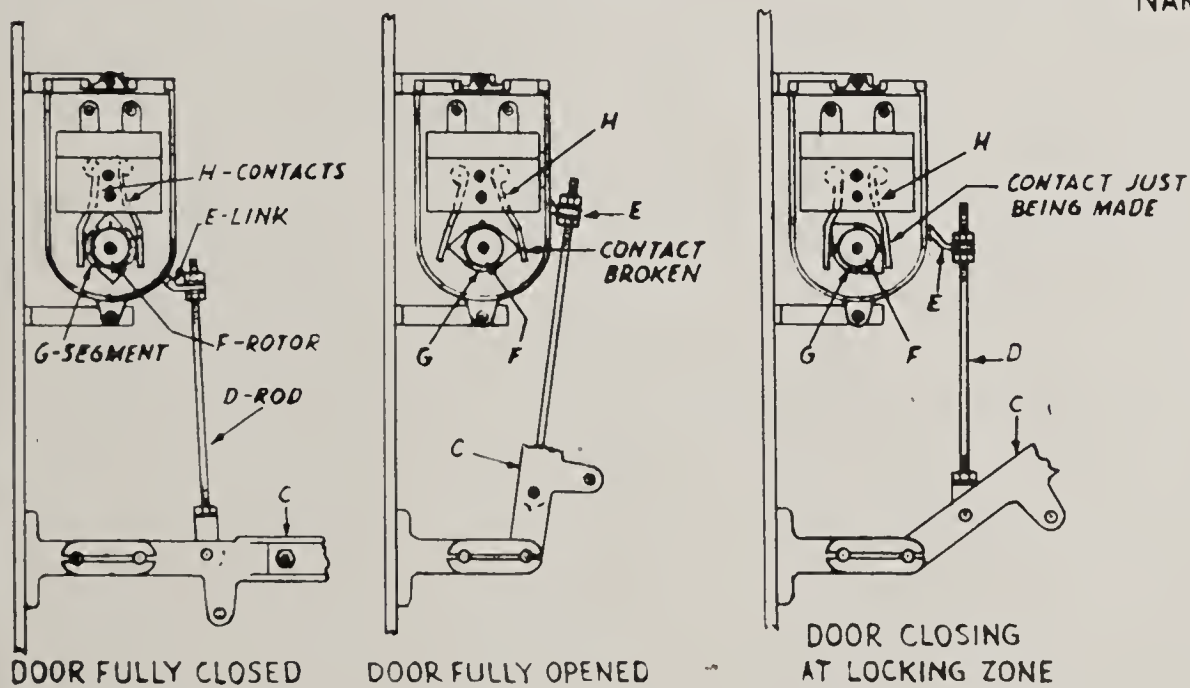


Fig. 1

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and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the E. S. Type S Elevator Interlocking Device, Hatchway Unit System, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

192-42-SA.

APPLICANT—Elevator Supplies Company, Incorporated, owner.

SUBJECT—E. S. Positive Bar Lock (Type B) Elevator Interlocking Device, Hoistway Unit System, approval of.

APPEARANCES—

For Applicant: Frank S. Quinn and K. D. Lighthope.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (192-42-SA)

WHEREAS, the Elevator Supplies Company, Incorporated, owner, filed on March 10, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the E. S. Positive Bar Lock (Type B) Elevator Interlocking Device Hoistway Unit System; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 18, 1942.

Re: Cal. No. 192-42-SA.

Subject: Approval of E. S. Positive Barlock (Type B) Elevator Interlocking Device, Hoistway Unit System.

Elevator Supplies Co., Inc. of New York, N. Y. filed on March 10, 1942, with the Board of Standards and Appeals an application, under the requirements of Section C26-178.0b of the Administrative Code, for approval of its appliance known as the E. S. Positive Barlock (Type B) Elevator Interlocking Device, Hoistway Unit System for use in New York City under the pertinent provisions of the Administrative Building Code.

The E. S. Positive Barlock Type "B" Elevator Interlocking Device Fig. 1 consists essentially of a single pole, double brake switch with two stationary contacts contained in a steel box and normally bridged by a removable contactor attached to the door latch. The box consists of a "U" shaped steel frame, closed at the top by a mounting plate and at the sides by removable side plates. The frame is formed from a single bent steel strip $1\frac{3}{8}$ " wide by $\frac{1}{8}$ " thick, fastened to the mounting plate by four rivets. A rectangular opening $\frac{7}{8}$ " wide by $1\frac{3}{8}$ " long is provided in one side for entrance of the locking head. The lower edge of this opening is bent inwards at right angles to the face and reinforced to form the mechanical latch with the locking head. Just below this inward projection is an angle shape stop, upon which the locking head rests when the doors are in the closed and locked position. The mounting plate is $4\frac{1}{2}$ " long, $1\frac{1}{2}$ " wide and $\frac{3}{16}$ " thick with four $\frac{1}{4}$ " holes drilled near the corners for flathead screws to secure the switch box in place. The removable sides are identical. Each is $3\frac{1}{2}$ " wide by $3\frac{7}{8}$ " long by $\frac{1}{16}$ " thick. Flanges $\frac{3}{8}$ " wide and projecting at an angle are provided adjacent to the opening in the frame as a guide for the contact locking head. The knock-outs

are for $\frac{1}{2}$ " conduit and provided in the frame near the top of the box. The box is lined with sheet bakelite $\frac{1}{64}$ " thick. Each of the two stationary contact blades consist of three laminations of phosphorous bronze riveted together and having one of the laminations somewhat longer and wider at the free end than the other two. This part is formed to provide a guide for the contactor. Each blade is secured in a recess in an insulating block of bakelite with a flathead brass screw threaded into the block. A spacer block of bakelite is inserted between the two parts thus formed and the whole secured together with two flathead brass screws. This unit is secured in the bottom of the switch box by a retaining plate having projecting edges engaging grooves in the contact base so that the stationary contacts are free to move approximately $\frac{1}{8}$ " in any direction, thus allowing proper alignment with the contactor. One leaf of each of the stationary contact blades is formed to receive one end of a flexible lead which connects it with one binding post of the terminal block located in the upper portion of the switch box.

The terminal block is a piece of molded bakelite formed in a shape of a cross and secured to the upper side of the switch box frame by a 14-20 flathead screw. Two terminals consisting of threaded brass inserts, brass screws threaded into the inserts and cupped washers are provided to secure the leads to the terminal block.

The barlock assembly consists of guides, a steel tube to which is attached a forged offset fitting, and to which in turn is secured an insulating block or contact head bearing the removable or bridging contactor. The guides are cast iron brackets having the longer legs drilled and countersunk to accommodate four (4) 14-20 flathead machine screws for securing them to the door. Openings are provided in the shorter legs on these brackets to accommodate the vertical bar. These openings in the guide brackets are large enough to assure free movement of the vertical bar. The vertical bar is made of #18 B & S gauge steel tubing approximately 36" long and $\frac{5}{8}$ " in diameter. In the upper end of this tube is mounted an offset steel drop forging approximately $\frac{5}{8}$ " square in section with the lower $1\frac{1}{2}$ " turned to $\frac{1}{2}$ " diameter to fit the bore of the tube. The forging and ferrule fitting outside the tube as a stop to limit the upward travel of the vertical bar are secured in position by a rivet.

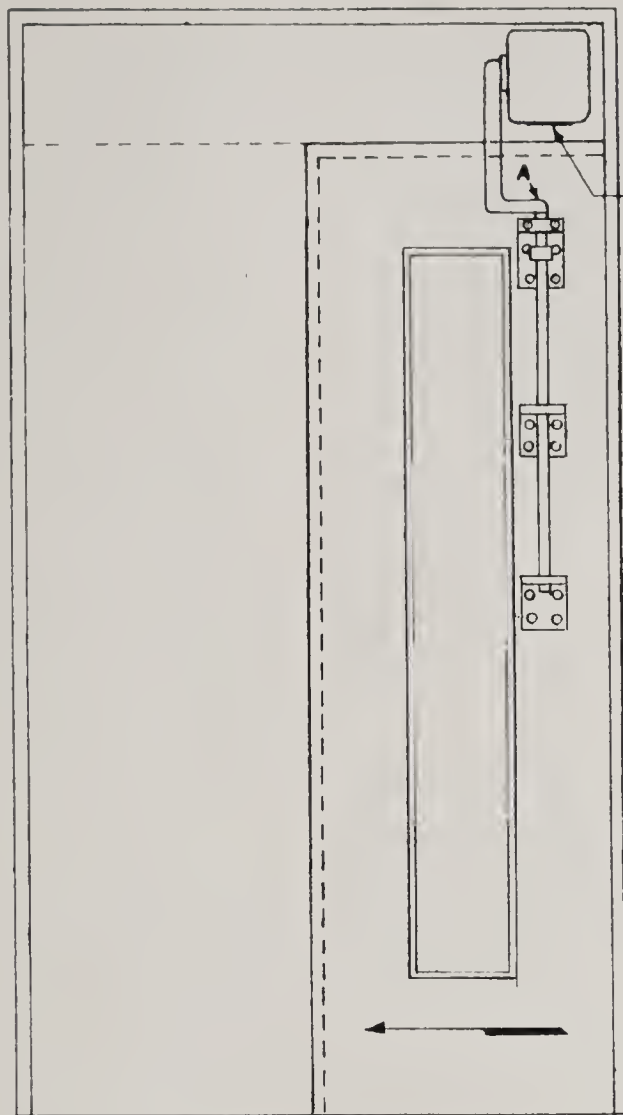
The insulating block and contact consists of a brass cylinder loosely mounted in a rectangular opening in the insulating portion of the locking head on a shaft of insulating material. The insulating block is $\frac{7}{16}$ " thick gray bone fibre, $1\frac{7}{8}$ " long by $1\frac{1}{32}$ " high. The bottom portion is cam shaped which permits it to slide easily through the opening in the switch box. This insulating block is reinforced by a steel cap strip and secured to the top of the locking head. It is also fastened at the side to the forging. This interlock is designed to prevent movement of the elevator car if any door in the elevator shaftway is opened or unlocked. It is so connected that the door is mechanically locked before the control circuit is completed and conversely the control circuit is opened before the door is mechanically unlocked to permit the door to be opened.

The mechanical lock is positive, as it is maintained in the locked position by gravity, no springs whatever being used. The one moving part, the contact making element, is attached to the door, consequently when the door is opened the elevator control circuit is also positively opened.

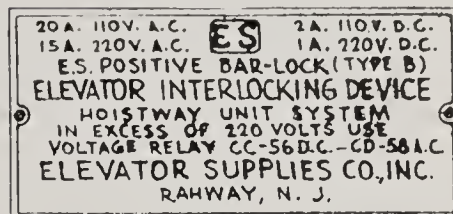
The operation of the electro-mechanical interlock is as follows:

After the car has stopped at a landing, the bar which is fastened to the door is raised, thereby opening the elevator control circuit by disengaging contactor "B" from bridging the contacts "C", as shown in the illustration attached. The control circuit is opened with the first upward movement of the bar

MINUTES

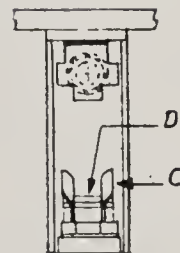
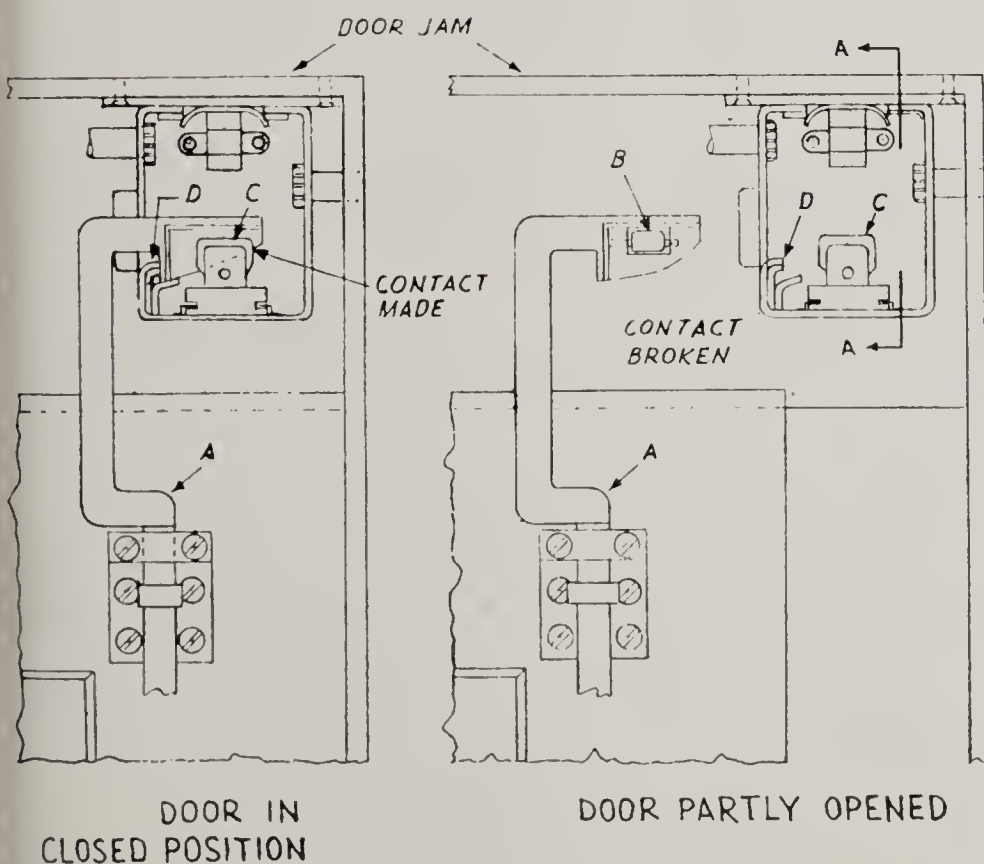


NAME PLATE (A)



NAME PLATE (A)

GENERAL ARRANGEMENT
SINGLE SLIDE DOOR SHOWN



SECTION A-A

Fig. 1

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thereby making it impossible for the car to move. When the bar has reached its top limit of travel the door is unlocked mechanically at "D" and the door may be opened to receive or discharge passengers. In closing the cam shaped portion of the locking head of the bar rides through the opening in the switch box and when the door is fully closed the bar drops by gravity mechanically locking the door at "D" and closing the elevator control circuit by contactor "B" bridging contacts "C". The car may then move up or down the shaftway, as desired.

This system was tested by the National Bureau of Standards (File VI-1/INM-83-C, letter dated February 24, 1942) for and has successfully met the requirements of each of the following sections of the Administrative Building Code:

A.—Endurance Test	Section C26-1180.0
B.—Current Interruption Test	" C26-1181.0
C.—Test in Moist Atmosphere	" C26-1182.0
D.—Test without Lubrication	" C26-1183.0
E.—Misalignment Test	" C26-1184.0
F.—Insulation Test	" C26-1185.0

These tests were run in accordance with the procedure outlined in Section C26-1179.0 of the Code.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval, under Section C26-191.0 of the Administrative Building Code, of E. S. Positive Bar-Lock (Type B) Elevator Interlocking Device, Hoistway Unit System as having met the requirements of Subarticle 9, Group 1 of Article 14 of the Administrative Code, for use in New York City, when installed in accordance with the pertinent provisions of the Administrative Building Code. The Committee further recommends that all appliances manufactured under this approval be marked, labelled or stamped, "Approved by the Board of Standards and Appeals under Cal. No. 192-42-SA".

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the E. S. Positive Bar Lock (Type B) Elevator Device, Hoistway Unit System, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

489-42-SM.

APPLICANT—New York Trap Rock Corporation, owner.
SUBJECT—Tomkins Cove Crushed Limestone, approval of.

APPEARANCES—

For Applicant: Edward B. Kirby.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (489-42-SM)

WHEREAS, the New York Trap Rock Corporation, owner, filed on June 17, 1942, an application with the Board of

Standards and Appeals for approval of the material known as Tomkins Cove Crushed Limestone; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 12, 1942.

Re: Cal. No. 489-42-SM.

Subject: Tomkins Cove Crushed Limestone (Concrete Aggregate), approval of.

The New York Trap Rock Co. of New York, filed on June 6, 1942 an application with the Board of Standards and Appeals for the approval of their crushed stone under the requirements of C26-178.0 for use under the pertinent provisions of Sub. Art. 5 Reinforced Concrete Construction of Art. 9, Construction of the Administrative Building Code.

The plant is located at Tomkins Cove, New York where open type method of quarrying of stone is used. The rock deposit based on present consumption rates indicates a supply for at least fifty years. Briefly, the operations at the quarry are described as follows:

STRIPPING—

The overburden is removed by a steam shovel, with pick and shovels aiding in the cracks and crevices.

DRILLING—

A Bucyrus Armstrong gasoline driven well drill is used to produce the holes necessary for blasting. Water is used as a lubricant in the drilling, which, with the stone dust produces a soupy, muddy material in the bottom of the holes. This is bailed out from time to time enabling the well driller to report any dirt pocket or impurities in the stone.

BLASTING—

Primary Blasting

This is done with Dupont's Nitramon "A", claimed to be particularly adapted for quarrying conditions at Tomkins Cove. The powder comes in cans 7½" in diameter by 2 ft. long, and weighing 50 lbs. each. These are set off by special detonators, coming in similar cans of powder with a silken bag of T.N.T. in the center. The detonators are set off by the use of cap and electrical sparks, which in turn set off the Nitramon.

Secondary Blasting

This is seldom necessary as the primary blast usually breaks the stone into pieces small enough to go through the crusher. On the rare occasions that secondary blasting is required, it is done by means of jack hammer drills and dynamite.

TRANSPORTATION AND CRUSHING—

Two steam shovels, one a 120-B steam shovel and the other a model 50-B, load the stone into 10 yard trailer trucks. It is then conveyed to a Roller Mill which consists of 3 tiers of rolls. These rolls are set that nothing over 9 inches escapes at the top level. Then the stone falls to the next set of rolls, where nothing over 4 inches passes. The final rolls crush everything down to 1½ inches in size.

SCALPING AND SCREENING—

By means of a large pan conveyor, the crushed stone is carried to the scalping building where all particles measuring 2 inches and over are removed. Belt conveyors then carry the stone to the screening building, where it is separated into the following sizes: 1½", 1", ¾", ½" and ⅜". A by-product of this plant is its Tomkins Cove Screenings, running from dust sized particles to ⅜" stone.

BLENDING AND WASHING—

All the stone is divided into separate sizes. This is done by several chutes which drop the required size of the stone on a conveyor belt. By the time the stone gets through the wash house, where it is baffled back

MINUTES

and forth while being subjected to water under pressure, it is not only thoroughly clean, but well mixed.

LOADING AND TESTING—

After washing, the stone is loaded upon flat bottom scows holding between 600 and 700 cubic yards of stone. All blended boat loads of stone are thoroughly checked for size and gradation at the Company Laboratory on the loading dock by taking from 3 to 5 samples of each boat load. Records of the results of these analyses are kept at the plant.

Tests

Samples of this trap rock were submitted to tests by Hildreth and Co., File 7130, with results as follows:

Sieve Analysis—ASTM—C-33

Sieve No.	Results	Required
1½"	100% Passing	100% Passing
¾"	89.5% "	90-100% "
⅜"	46.0% "	20-55% "
No. 4	6.2% "	0-10% "

This limestone contains strong, durable, hard pieces free from adherent coatings, soft fragments, coal, shale, clay lumps, and other deleterious substances.

This latter statement of the Laboratory apparently meets the requirements of C26-315.0a which requires a test for impurities in accordance with ASTM C40-33.

Recommendations

Based on the foregoing data, it is recommended by the Committee on Tests that Tomkins Cove Crushed Limestone as produced by the New York Trap Rock Corporation at Tomkins Cove, New York, be approved for use in New York City under C26-191.0 of the Administrative Building Code as fine and coarse aggregates under the following requirements:

1. That each scow destined for use in New York City shall be accompanied by a delivery slip stating

in addition to the source of the material, the gradation, and it shall bear the following stamp or label thereon: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 489-42-SM", and that each truck delivery slip shall be similarly stamped by the dealer.

2. That samples shall be taken pursuant to accepted practice from each scow destined for New York City and a record kept of the resulting test for gradation.

3. That at least once each month a composite report of tests made pursuant to the above requirement shall be forwarded to the Board and certified by the applicant's representative.

4. That when used, these aggregates shall comply with the requirements of Paragraph C of Section C26-315.0 of the Administrative Building Code.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Tomkins Cove Crushed Limestone, on condition that the material be manufactured and labelled, stamped or tagged in accordance with above report.

Adjourned: 4:15 P. M.

JOSEPH J. DOYLE, Chief Clerk.

PUBLIC HEARING

PROPOSED AMENDMENTS TO RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939, EFFECTIVE, IN ACCORDANCE WITH SECTION (665, SUBDIVISION C) 666, PARAGRAPH 2, OF THE NEW YORK CITY CHARTER, FEBRUARY 27, 1939.

(835-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, December 4, 1942 at 10:30 A. M., Room 1013, Municipal Building, Manhattan, on Proposed Amendment to Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

NOTE—New matter in *italics*; old matter in parenthesis () to be omitted.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph(s) 2 (and 3), of the New York City Charter (and C26-1268.0c 4) (14.7.1.3 BC) (and C26-1277.0h) (14.8.2.8 BC) pertaining to Sections C26-1268.0,c,4. and C26-1277.0h. of the Administrative Building Code.

Rule 1. Vacuum Breakers.

All vacuum breakers prescribed under these rules shall be set at least four inches above the flood level rim of fixtures or as otherwise specifically provided for in these rules. Each fixture with submerged inlets shall be independently controlled by an approved vacuum breaker or breakers the full size of supply pipe, as set forth in these rules.

Rule (3) 2. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the (overflow) flood level rim of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture, or as otherwise provided for in these rules.

Water supply lines to water preheating apparatus

PUBLIC HEARING

utilizing waste water shall be equipped with an approved vacuum breaker located at least four feet above the highest elevation of the preheating apparatus or coil, with a check valve between the vacuum breaker and the preheating apparatus. Any hot water boiler supplied through such preheating device and having an independent cold water supply line shall have the cold water supply line equipped with a vacuum breaker and check valve located at least four inches above the highest elevation of the boiler.

Rule (1) 3. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly or indirectly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the (overflow) flood level rim of the fixture (to prevent siphonage or backflow of contaminated water into the housewater distribution piping and checked by the inspector.)

Rule (2) 4. Ballcocks.

All flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than (one-half) three-quarter inch above the overflow outlet of the flush tank.

Ballcocks controlling water supply to suction, roof or other intermediate tanks shall be located at least one inch above the flood level rim of the tank excepting that in roof tanks equipped with an overflow of a size at least one commercial diameter larger than the water supply pipe, the ballcock may be located two inches above the highest elevation of the overflow pipe. The overflow and emptying pipes of roof, suction and intermediate tanks shall not be directly connected to a drainage system, notwithstanding the permissive provisions of Section C26-1273.0,d of the Administrative Building Code for connection to a leader.

Rule (4) 5. Sterilizers.

Direct water supply connections to all sterilizers are prohibited, except such equipment as is approved by the Board. When approved sterilizers are used, the waste piping (for) from sterilizers shall not connect directly with any drainage system. (such waste piping shall discharge above an open, water-supplied, trapped and vented fixture).

Rule (5) 6. Aspirators—Water Siphons.

Direct water supply connections to aspirators, water siphons or similar apparatus (shall be equipped with an approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker) is prohibited except when approved by the Board. The waste pipe for this type of apparatus shall not connect directly with any drainage system (but shall discharge above an open, water supplied, trapped and vented fixture).

Rule (6) 7. Bidets—Bed Pan Washers.

Direct water supply connection to (Installation of) a bidet is prohibited. Water supply connection to (bidets,) bed pan washers or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and

the vacuum breaker. Water supply to bed pan washers equipped with an approved valve shall be governed by Rule 3.

Bed pan washers may be equipped with steam connections only when such equipment has been approved by the Board.

(Rule 7. Roof or Suction Tanks.)

(Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.)

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well or similar type pumps when permitted by the Department of Water Supply, Gas and Electricity shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant (agency) from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation. Direct water connection is prohibited under Section C26-1223.0 Administrative Building Code.

Rule 10. Mortuary, Dissection, Operating and Embalming Tables or Equipment.

Mortuary, dissection, operating and embalming tables or equipment shall have no direct water supply connection. Hose used with such equipment shall terminate at least 12 inches at any point from the table or attachments.

Rule 11. Dishwashing and Laundry Machines.

Water supply to dishwashing and laundry machines shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the fixture. The vacuum breaker shall be located at least 4" above the highest elevation of the machine.

Rule 12. Chemical Solution Tanks or Apparatus.

Water supply connections to any tank or apparatus containing any chemical shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the tank or apparatus.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

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All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

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822-42-A—H.B.B.—105 Montrose avenue, north side, 100 ft. west of Manhattan avenue (Block No. 3051, Lot No. 25), Borough of Brooklyn, Alt. 1066-42.

823-42-A—H.B.M.—3860-3868 Tenth avenue and 500 West 207th street, southwest corner (Block No. 2217, Lot No. 21), Borough of Manhattan, Amendment to Alt. 1202-42.

824-42-A—H.B.M.—579 Fifth avenue, northeast corner of East 47th street (Block No. 1283, Lot No. 1), Borough of Manhattan, Alt. 1298-42.

825-42-A—F.D.—1199 Broadway, southwest corner of West 29th street (Block No. 830, Lot No. 62), Borough of Manhattan, 32004-L. C. and Decision.

826-42-A—H.B.B.—421-465 Madison street, northeast corner of Throop avenue (Block No. 1821, Lot Nos. 1 to 73 inclusive); (Public School No. 44), Borough of Brooklyn, Amendment to N. B. 299-42.

827-42-A—H.B.B.—1615-1629 Madison avenue, east side, between East 108th and East 109th streets, 51-87 East 108th street, 54-88 East 109th street and 1480 to 1490 Park avenue (Block No. 1614, Lot No. 21); (Public School No. 108), Borough of Manhattan, Amendment to N. B. 20-42.

828-42-A—H.B.Q.—155-22 Broad street, west side, 300 ft. south of Rockaway boulevard (Block No. 15725, Lot Nos. 109 and 110), Hook Creek, Borough of Queens, N. B. 2087-40.

829-42-A—F.D.—146 Greene street, west side, 120 ft. 2½ in. south of West Houston street (Block No. 513, Lot No. 9), Borough of Manhattan, 32420-L. C. and Decision.

830-42-A—H.B.Q.—96-18 to 96-42 Queens boulevard, south side, 150 ft. east of 63rd drive (Block No. 3082, part of Lot No. 61), Rego Park, Borough of Queens, Alt. 1938-42.

831-42-A—H.B.Q.—55-15 Grand avenue (street), north side, 259 ft. west of Old Flushing road (Block No. 2609, Lot No. 6), Maspeth, Borough of Queens, M-Applic. 5372-42.

832-42-A—F.D.—Packaging of inflammable mixtures known as Zerone, Five Star and Genuine General Motors Anti-Freezes in glass bottles (capacity of bottles not in conformity with Administrative Code specifications), Decision.

833-42-A—H.B.Q.—92-32 Union Hall street and 160-37 Archer avenue, northwest corner (Block No. 10101, Lot No. 27), Jamaica, Borough of Queens, Misc. 4011-42.

834-42-A—H.B.Q.—76-04 to 76-54 268th street (Block No. 8543, part of Lot No. 1), 76-03 to 76-53 268th street (Block No. 8546, part of Lot No. 1), 76-04 to 76-54 269th street

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836-42-BZ—H.B.M.—108-112 West 41st street, south side, 125 ft. west of Sixth avenue (Block No. 993, Lot No. 38), Borough of Manhattan, Decision re Certificate of Occupancy.

837-42-A—H.B.B.—413-419 Kent avenue and 27-35 South 8th street, northeast corner (Block No. 2129, Lot No. 1), Borough of Brooklyn, Amendment to Alt. 4572-40.

838-42-SM—Conalene (Fuel Oil Conditioner), manufactured by The Thermo Chemical Corporation, Material.

839-42-BZ—H.B.B.—172 Pacific street, south side, 215 ft. east of Clinton street (Block No. 292, Lot No. 15), Borough of Brooklyn, Alt. 1943-42.

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1051-27-BZ—H.B.B.—724-740 Ralph avenue and 81-10 East 98th street, northwest corner (Block No. 3530, Lot No. 1), Borough of Brooklyn, B. N. 4501-42.

628-42-A—H.B.M.—383-387 Lafayette street and 22 East 4th street, southeast corner (Block No. 531, Lot No. 20), Borough of Manhattan, Alt. 944-42.

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DECEMBER 8, 1942, 10 A. M.

Zoning Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, Tuesday morning, December 8, 1942, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

63-42-BZ—Application, May 5, 1942, under sections 7e and 21 of the zoning resolution, of Henry Nordheim, applicant on behalf of Estate of Jennie Adey, owner, to permit a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 11 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 27, 29, 31 and 33), Borough of The Bronx.

Appeals from Administrative Decisions.

62-42-A—4485-4519 Broadway, northwest corner of West 192nd street (Block No. 2180, Lot Nos. 633, 635 and part of Lot No. 646), Borough of Manhattan.

67-42-A—481-495 Clermont avenue, 783-803 Atlantic avenue, northeast corner and 470 Vanderbilt avenue (Block No. 2009, Lot No. 1), Borough of Brooklyn.

65-42-S—1412-1416 Broadway, northeast corner of West 10th street (Block No. 815, Lot No. 14), Borough of Manhattan.

65-42-A—212-214 Water street, west side, 87 ft. 4 in. south of Beekman street (Block No. 95, Lot No. 3), Borough of Manhattan.

599-42-A—219-08 40th avenue, south side, 60 ft. east of 219th street (Block No. 6313, Lot No. 4), Bayside, Borough of Queens.

623-42-A—76-13 Woodside avenue, north side, 60.16 ft. west of 77th street (Block No. 1496, Lot No. 40), Elmhurst, Borough of Queens.

674-42-A—51-30 Manila street, west side, 289.90 ft. south of 51st avenue (Block No. 2471, Lot No. 18), Elmhurst, Borough of Queens.

612-42-A—Foot of Montague street, Bulkhead, 200 ft. south of Montague street (Building No. 57); (Block No. 245, Lot No. 15), Borough of Brooklyn.

692-42-A—32-23 42nd street, east side, 225 ft. south of Broadway (Block No. 690, Lot No. 29), Astoria, Borough of Queens.

691-42-S—524-540 West 52nd street, south side, 325 ft. southwest of Tenth avenue (4th floor); (Block No. 1080, Lot No. 45), Borough of Manhattan.

605-42-A—335-341 West 16th street, north side, 300 ft. east of Ninth avenue (Block No. 740, Lot No. 13), Borough of Manhattan.

675-42-S—460-478 West 34th street, east side of Tenth avenue, from West 33rd to West 34th streets and 457 West 33rd street (6th floor); (Block No. 731, Lot No. 1), Borough of Manhattan.

627-42-A—216 Linwood street, west side, 100 ft. south of Arlington avenue (Block No. 3941, Lot No. 14), Borough of Brooklyn.

629-42-A—74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 40-02 to 40-14 75th street (Block No. 1485, Lot No. 23), Jackson Heights, Borough of Queens.

618-42-A—38-12 27th street, north side, 85 ft. west of 38th avenue (Block No. 387, Lot Nos. 23 and 24), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 8, 1942, 2 P. M.

Appeals from Administrative Decisions.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

796-42-A—101 Greene street, west side, 244 ft. 10 in. north of Spring street (Block No. 500, Lot No. 28), Borough of Manhattan.

722-42-A—2515 Grand Concourse, west side, 106.34 ft. north of East Fordham road (Block No. 3167, Lot No. 76), Borough of The Bronx.

711-42-S—62 Delevan street, north side, 175 ft. west of Richards street (Block No. 518, Lot No. 35), Borough of Brooklyn.

Appliances and Material for Approval.

715-39-SA—Carrier Cold Diffusers, Types 1400, 1800, 15G, 15J, 15K, 15M, 15Q, 15T and 39K.

CALENDAR

781-42-SA—Derby Type B Electrically Operated Remote Control Valve for Standpipe and Sprinkler Systems.

487-42-SM—Haverstraw Trap Rock (Concrete Aggregate) as Produced by the New York Trap Rock Corporation.

DECEMBER 15, 1942, 2 P. M.

Appliance and Material for Approval.

443-41-SA—Mogul Metal Spray Gun.

681-42-SM—Bird Insulated Siding, Bric Design.

DECEMBER 15, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, December 15, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

1261-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, reopened May 26, 1942, under section 7c of the zoning resolution, to permit partly in a business use and partly in a residence use district, the parking and storage of more than five (5) motor vehicles upon a plot occupied as a gasoline service station (previously withdrawn); premises 2701-2711 Fort Hamilton parkway and 1358-1368 Prospect avenue, northwest corner (Block No. 5284, Lot No. 64), Borough of Brooklyn.

578-42-BZ—Application, July 15, 1942, under sections 7h and 21 of the zoning resolution, of Arnold W. Lederer, applicant, on behalf of Buoniello Holding Company, Incorporated, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and, also, the continuance of the use of part of the plot for the display and sale of used cars; premises 6802-6810 Fort Hamilton parkway, southwest corner of 68th street (Block No. 5771, Lot No. 6), Borough of Brooklyn.

772-42-BZ—Application, November 4, 1942, under section 7c of the zoning resolution, of Maurice G. Uslan, applicant, on behalf of Durkee Marine Products Corporation, owner, to permit upon a plot located partly in a manufacturing use and partly in an unrestricted use district, the maintenance of an extension to a building used as a foundry; premises 2053 Clove road, southeast corner of Mosel avenue (Block No. 2921, Lot Nos. 18 and 23), Grasmere, Borough of Richmond.

577-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant, on behalf of Crew Levick Corporation, owner (Joseph E. Johnston, lessee), to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

987-41-BZ—Application, November 14, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station; premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

Appeal from Administrative Decision.

792-42-A—796-804 Utica avenue and 736-746 Linden boulevard, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn, Misc. 8575-41.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 22, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, December 22, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

903-25-BZ—Application of Lama and Proskauer, applicants on behalf of Rose Rolland, owner, reopened November 5, 1941, under section 7f of the zoning resolution, to permit in a business use district, for a term of ten (10) years, the use of a two (2) story and basement building, as a garage for more than five (5) motor vehicles; the Board having previously granted a one (1) story garage for more than five (5) motor vehicles on the premises in question; premises 823-829 Classon avenue, east side, 47 ft. north of Lincoln place (Block No. 1178, Lot No. 3), Borough of Brooklyn.

750-42-BZ—Application, October 22, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Sarah Shapiro, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 876 St. Nicholas avenue, east side, 114 ft. 10 in. north of West 153rd street (Block No. 2069, Lot No. 46), Borough of Manhattan.

177-33-BZ—Application of Lama and Proskauer, applicants, on behalf of Joseph Gross, owner, reopened July 2, 1942, under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, motor vehicle repair shop, auto laundry, lubritorium and office (previously denied re gasoline service station re Lot No. 42); premises 1510-1516 Rockaway parkway and 9616-9626 Flatlands avenue, southwest corner (Block No. 8204, Lot Nos. 42 and 44), Borough of Brooklyn.

669-42-BZ—Application, September 11, 1942, under sections 7f and 21 of the zoning resolution, of Wing Holding Corporation, applicant and owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 40-11 Skillman avenue, north side, 545.51 ft. west of 43rd street (Block No. 183, Lot No. 290), Long Island City, Borough of Queens.

805-42-BZ—Application, November 18, 1942, under section 7c of the zoning resolution, of A. H. Salkowitz, applicant, on behalf of Terminal Garage, Incorporated, owner, to permit partly in an unrestricted use district and partly in a business use district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles (buses) and also, as a motor vehicle repair shop; premises 54-47 74th street, northeast corner of 5th avenue (Block No. 2805, Lot Nos. 10, 142 and 151), Manhattan, Borough of Queens.

Appeal from Administrative Decision.

840-42-A—54-47 74th street, northeast corner of 5th avenue (Block No. 2805, Lot Nos. 10, 142 and 151), Manhattan, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

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BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, DECEMBER 1, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, November 24, 1942, and Tuesday afternoon, November 24, 1942, were approved as printed in Bulletin No. 48, Vol. 27.

ZONING CASES.

903-25-BZ.

APPLICANT—Lama and Proskauer, for Rose Rolland, owner.

SUBJECT—Application reopened November 5, 1941 (re decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, for a term of years, the use of a two story and basement building as a garage for more than five (5) motor vehicles; the Board having previously granted a one story garage for more than five (5) motor vehicles on the premises in question.

PREMISES AFFECTED—823-829 Classon avenue, east side, 47 ft. north of Lincoln place (Block No. 1178, Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Clarence Levy.
For Opposition: John N. Kearney, Agnes M. Stack, Catherine C. Kennelly, Florence Byrne and Solomon Ort.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 22, 1942 at 10 A. M. for decision by the Board, without further argument.

363-42-BZ.

APPLICANT—Henry Nordheim, for Estate of Jennie Ade, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7e and 21 of the zoning resolution, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim, George B. Fargis and Clifford A. Ade.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 8, 1942 at 10 A. M. at request of Applicant.

577-42-BZ.

APPLICANT—George H. Cohn, for Crew Levick Corporation, owner (Joseph E. Johnston, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn).

APPEARANCES—

For Applicant: George H. Cohn.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 15, 1942 at 10 A. M. for further consideration by the Board.

708-38-BZ.

APPLICANT—Lama and Proskauer, for Bertha M. Carroll, owner (Gulf Oil Corporation, lessee).

SUBJECT—Application reopened June 16, 1942 (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles on an existing gasoline service station (the gasoline service station was previously granted by the Board).

PREMISES AFFECTED—92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot No. 5), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (708-38-BZ)

WHEREAS, this application, permitting partly in a business use district and partly in an unrestricted use district, the extension of a gasoline service station, under section 7c of the zoning resolution, was granted by the Board on November 15, 1938, on certain conditions, resolution amended December 20, 1938 and March 21, 1939; affecting premises 92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot No. 5), Elmhurst, Borough of Queens; and

WHEREAS, Lama and Proskauer, for Bertha M. Carroll, owner (Gulf Oil Corporation, lessee), requested reopening of the application under section 7c of the zoning resolution, to permit in a business use district, the parking and storage of more than five (5) motor vehicles on an existing gasoline service station; and

WHEREAS, this application was reopened by vote of the Board on June 16, 1942, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 1, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Horace Harding boulevard is in a business and unrestricted use district; 62nd avenue, Queens boulevard and 93rd street are each in a business use district; and

WHEREAS, the decision of the borough superintendent, on Misc. Application No. 2834-42, dated May 28, 1942, reads:

"1. The use of plot for parking and storage of more than five motor cars in conjunction with present gasoline service station located in a business use zone is contrary to the building zone resolution, Art II, Sec. 4."

and

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WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of approximately 240 ft. on Horace Harding boulevard, 211 ft. on Queens boulevard, 117 ft. on 93rd street, and a distance of 201 ft. along the southerly lot line; occupied as gasoline service station (previously granted by the Board). It is proposed to use part of the plot—as shown upon filed plans—for parking and storage of more than five motor vehicles.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on November 15, 1938, as amended December 20, 1938 and March 21, 1939, as to the provision regarding the parking and storage of more than five (5) motor vehicles, the resolution shall read.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under Section 7-C, to permit the premises under appeal within the business use district to be used in conjunction with the portion of the premises in the unrestricted district as a gasoline service station *on condition* that the plot shall be levelled substantially to the grades of surrounding streets; that the arrangement of the accessory building and pumps shall be substantially as indicated on revised plans filed; that the plans, marked 'Received December 12, 1938' are hereby *approved* as complying with the requirements of this resolution; that the entire plot shall be graded substantially to the grade of the surrounding streets; that no gasoline pumps or any part of the foundation for pumps shall be nearer than 21 ft. to the building line of Horace Harding boulevard; nor nearer than 18 ft. to the building line of Queens boulevard; that the accessory buildings shall not be extended beyond those shown; that the planting areas with protecting curbs shall be maintained of the sizes as indicated, as determined by measurements and by scale; that all pumps shall be of a design as shown on revised plan marked 'received February 9, 1939' and the Rapidayton pumping equipment used therewith as approved by the board under Cal. No. 1022-38-SA and the color of the pumps to be in harmony with the design of the building; that the construction of the building shall comply with all laws, rules and regulations applicable thereto; that signs shall be limited to such signs as are indicated on the plans, excluding all temporary signs and any additional signs other than those shown, but permitting the erection within the building line of post standards at points indicated, for supporting signs which may be illuminated, advertising solely the brand of gasoline on sale and permitting such signs to extend beyond the building line for a distance of not more than 4 ft.; that the plot, where not occupied by accessory buildings and planting, shall be concrete or asphalt paved where so indicated; that no repairing shall be done on the premises; *that other than cars being parked for servicing, not more than twenty-five (25) cars shall be stored on the premises transiently or otherwise and that such cars stored shall be located in the spaces as indicated on revised plans marked 'Received September 24, 1942'; that only motor vehicles of the pleasure-car type and those in condition for operation shall be so stored; that this use may be continued only so long as the premises are occupied as a gasoline station and complies with the requirements of the resolution; that such bumpers shall be maintained as are necessary to prevent damage to the planted area; that all permits shall be obtained and all work completed within three (3) months from the date of this amended resolution.*

95-40-BZ.

APPLICANT—Samuel Rosenblum, for Forty Central Park South, Inc., owner.

SUBJECT—Application reopened November 18, 1941 re (decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a retail use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—39-51 West 58th street, north side, 120 ft. east of Sixth avenue (Block No. 1274, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum, Victor L. Weis and Lewis B. Freeman.

For Opposition: R. J. Stark.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn

Negative:

THE RESOLUTION (95-40-BZ)

WHEREAS, this application, permitting in a retail use district, the parking and storage of more than five (5) motor vehicles for a temporary period of not more than two (2) years, under section 7-h of the zoning resolution, was granted by the Board on April 23, 1940, on certain conditions, affecting premises 41-49 West 58th street, north side 141 ft. 8 in. east of Sixth avenue (Block No. 1274, Lot Nos 6½, 7 and 9), Borough of Manhattan; and

WHEREAS, Samuel Rosenblum, for Forty-Central Park South, Inc., present owner, requested a reopening of the application and amendment of the resolution to permit in a retail use district, for a term of two (2) years (the permit having expired), the parking of more than five motor vehicles, affecting premises 39-51 West 58th street, north side, 120 ft. east of Sixth avenue (Block No. 1274, Lot No. 6), Borough of Manhattan; and

WHEREAS, this application was reopened November 18, 1941, by vote of the Board; and

WHEREAS, a public hearing was held on this application on December 1, 1942, by the Board of Standards and Appeals, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 58th street is in a retail use district; Central Park South is in a residence use district and Sixth avenue is in retail, restricted retail and residence use districts; and

WHEREAS, the decision of the borough superintendent dated August 26, 1942, re N. B. Applic. 161-41, reads:

"2. Disapproved. The use of these premises for parking of more than five motor vehicles is contrary to sec. 4a Building Zone Resolution in a retail district."

WHEREAS, the applicant states that the premises consist of a plot having a frontage of 120 feet and a depth of 70 ft. 4 inches. It is proposed to use the plot for a term of 2 years, for the parking of more than five (5) motor vehicles.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 23, 1940, by adding thereto:

"that the term for which this variance is granted is hereby extended for two (2) years from the date of this amended resolution, *on condition* that the requirements of the resolution as adopted by the Board April 23, 1940 shall be complied with except that the area of the plot may be increased as indicated on revised plans marked 'Received September 8, 1942' and restricted to Lot No. 6 of the dimensions given, namely, with a frontage of 120 ft. on West 58th street and a depth of 70 ft. 4 in. and except that a space approximately 10 ft. in width toward the easterly end may be reserved as access to the adjoining apartment house on Lot No. 65 under the same ownership; that the arrangement and construction of fences to enclose such parking area may

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be continued as indicated on such plans marked 'Received October 27, 1942'; that adequate bumpers shall be maintained along such fences to protect same; that the requirements of the Code shall be complied with as to the construction of the building occupied as an office and shelter and no signs shall be erected on the roof thereof; that all permits shall be obtained and all work completed in accordance with the provisions of this amended resolution, within two (2) months from the date thereof."

119-42-BZ.

APPLICANT—Goldenthal Brothers, for Peter Anselmi, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, the maintenance of eight (8) one car garages (two (2) for accessory use and six (6) to be rented to individuals not residing on the premises).

PREMISES AFFECTED—28-04 39th avenue, southeast corner of 28th street (Block No. 398, Lot No. 21), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Nathan A. Goldenthal and Peter Anselmi.

For Opposition: Alexander Del Giorno.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (119-42-BZ)

WHEREAS, Goldenthal Brothers, for Peter Anselmi, owner, filed on February 10, 1942, an application under section 7f of the zoning resolution, to permit in a business use district, the maintenance of eight (8) one car garages; (two (2) for accessory use and six (6) to be rented to individuals not residing on the premises); premises 28-04 39th avenue, southeast corner of 28th street (Block No. 398, Lot No. 21), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 1, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that 39th avenue is in a business and unrestricted use district; and 28th and 29th streets are in a business use district; and

WHEREAS, the decision of the borough superintendent, on Misc. Application No. 10374 and 10375-41, dated January 26, 1942, reads:

"1. Garage units which in the aggregate accommodate more than five (5) motor vehicles in the same ownership management or control is prohibited in a business district by Sec. 4(15) of Art. II of the zoning resolution."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 75 ft. on 39th avenue and 100 ft. on 28th street; that upon the plot there are located a two story frame dwelling, a metal building, 18 ft. by 36 ft. in area, used for the storage of iron pipes; a 4 car metal garage, 18 ft. by 32 ft. (on the southerly rear of the plot) and also a 4 car metal garage, 36 ft. by 18 ft. (on the 28th street front of the plot); that it is proposed to rent two (2) individual garages in the metal garage building fronting on 28th street and to use two of the garages as accessory use to the two family dwelling on the plot, and also to rent the 4 individual

garages in the metal garage building on the southerly rear of the plot and that the use of the metal building for iron pipe storage and also the dwelling use, are to be continued; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision f, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7f thereof, for a term of five (5) years, to permit the continuation of the group of four garages on the rear of the lot and the group of four garages facing 28th street as accessory to the residential building on the plot and permitting six of the eight spaces to be rented to persons other than those living in the residential building, on condition that not more than four such garages shall have their entrances directly to 28th street; that the building on the front of the lot facing 39th avenue shall not be used for storage of motor vehicles but shall be occupied solely for the storage of pipe in accordance with Certificate of Occupancy issued October 29, 1942, No. Q27888; that no manufacturing operations or processing on such pipe shall be carried on in the building which shall be used for such storage only; that in all other respects, the occupancy of the plot and the buildings thereon shall comply with all laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within two (2) months from the date of this resolution; that all existing certificates of occupancy shall be surrendered and one certificate of occupancy issued for the uses lawfully permitted on the plot.

215-42-BZ.

APPLICANT—John C. Wandell, for Society of St. Vincent de Paul, owner (Arthur Stevenson, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—8101-8111 Third avenue and 302-312 81st street, southeast corner (Block No. 5997, Lot Nos. 7 and 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: John C. Wandell.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (215-42-BZ)

WHEREAS, John C. Wandell, for Society of St. Vincent de Paul, owner (Arthur Stevenson, lessee), filed March 18, 1942, an application under section 7h of the zoning resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 8101-8111 Third avenue and 302-312 81st street, southeast corner (Block No. 5997, Lot Nos. 7 and 11), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 1, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Third avenue is in a business use district; 81st and 82nd streets are in a residence and business use district; and

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WHEREAS, the decision of the borough superintendent, on Applic. No. 537-41, dated March 18, 1942, reads:

"1. Parking and storage of more than five motor vehicles in a business zone is contrary to Art. 11, Sec. 4, Para. 15 of the zoning resolution."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 109 ft. on Third avenue and 100 ft. on 81st street and that it is proposed to use the site, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years from the date of this action, to permit the premises to be occupied for the storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type and those capable of operation shall be so stored; that the premises shall be leveled substantially to the grade of surrounding streets and shall be surfaced with clean gravel, steam cinders or other suitable material properly rolled and treated with a binder; that an adequate fence shall be maintained on the interior lot lines and on the street building lines with no entrance thereto except from Third avenue; that such entrance shall be toward the center of the premises and shall not exceed 15 ft. in width with curb cut opposite not exceeding 15 ft. in width; that during the term of this variation, these premises shall be occupied for no other use other than as herein permitted and no signs shall be erected thereon, except that there may be a sign attached to the fence advertising the storage use and the rates charged provided such sign does not exceed 15 sq. ft. in area, is not illuminated and does not extend beyond the building line; that the fence on the street building line may be woven wire or wood, and if of wood, it shall be of the picket type not less than 5 ft. 6 in. in height; that such fence shall be kept well painted at all times; that no buildings shall be erected except that there may be erected a building not exceeding 100 sq. ft. in area and not over one story in height, which may be of frame to be occupied solely as an office and shelter for the attendant; that such building, if erected, shall be near the entrance; that such portable fire-fighting appliances shall be furnished and maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

523-42-BZ.

APPLICANT—Clifford L. Snyder (lessee), for The Fordham Methodist Episcopal Church, owner.

SUBJECT—Application (re decision of the acting borough superintendent) under section 7-e of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of part of an existing dwelling to business use (funeral director's office).

PREMISES AFFECTED—2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx.

APPEARANCES—

For Applicant: George Goodstein and Clifford L. Snyder.

For Opposition: Harry Kerner and Harold Levine.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (523-42-BZ)

WHEREAS, Clifford L. Snyder (lessee), for The Fordham Methodist Episcopal Church, owner, filed June 29, 1942, an application under section 7e of the zoning resolution, to permit in a residence use district, the alteration and conversion of occupancy of part of an existing dwelling to business use (funeral director's office); premises 2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 1, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Marion avenue and Bainbridge avenue are in a residence and business use district; and Fordham road is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent, on Alt. Applic. No. 192-42, dated June 4, 1942, reads:

"3. Use of building for business purposes in residence district contrary to Section 3 zoning resolution."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 68 ft.; that upon the plot, there is located a two-story and basement frame building; 35 ft. by 35 ft. in area; occupied as a dwelling and dentist's office (on the 1st story); that it is proposed to maintain the funeral director's office on part of the first story and also the business sign; that also, upon the plot, there are located two one-car metal garages; and

WHEREAS, the premises and surrounding area were inspected by a Committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision e, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7e, to permit the continuation of the sign on the building advertising the residence of the funeral director, *on condition* that such sign shall not exceed one (1) sq. ft. in size; and *granted* only for a term of two (2) years from the date of this action and only so long as the funeral director resides on the premises and the building is occupied throughout for residential occupancy; that no business shall be maintained therein or on the premises; that all permits shall be obtained and all work completed within one (1) month from the date of this resolution.

586-42-BZ.

APPLICANT—John F. Payne, for Socony-Vacuum Oil Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the alteration and conversion of an accessory building on an existing gasoline service station from store room to car washing and lubritorium.

PREMISES AFFECTED—168 Richmond terrace and 1-7 Stuyvesant place, southerly intersection (Block No. 12, Lot No. 11), St. George, Borough of Richmond.

APPEARANCES—

For Applicant: John F. Payne.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

MINUTES

ACTION OF BOARD—Application granted on condition. THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (586-42-BZ)

WHEREAS, John F. Payne, for Socony-Vacuum Oil Company, Inc., owner, filed July 21, 1942, an application under section 7c of the zoning resolution, to permit in a business use district, the alteration and conversion of occupancy of an accessory building on an existing gasoline service station from store room to car washing and lubrication; premises 168 Richmond terrace and 1-7 Stuyvesant place, southerly intersection (Block No. 12, Lot No. 11), St. George, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 1, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Richmond terrace is in a business and unrestricted use district; and Stuyvesant place and Hamilton avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 153-42, dated July 9, 1942, reads:

"The extension of the uses of the present gasoline service station with a lubritory and car washing services is not permitted in a business zone. Zone Res. Art. II, Sec. 6a, and also Sec. 4."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 120 ft. on Stuyvesant place, 135 ft. on Richmond terrace and a distance of 87 ft. along the southerly lot line and occupied as a gasoline service station; that upon the plot, there is located a one story accessory building, 25 ft. 4 in. by 44 ft. 4 in. in area; occupied as office, toilets, coal storage and stove room; that it is proposed to alter this building, as shown upon filed plans, and to use it as office, toilets, lubritory and auto laundry and to remove the two open pits at the southerly portion of the plot; and

WHEREAS, the premises and the surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant under section 7-c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-c thereof, to permit the reconstruction and rearrangement of the existing accessory building on the legally permitted gasoline service station substantially as indicated on plans filed with this application, marked "Received July 22, 1942", *on condition* that the design and use of materials shall be as indicated therein; that the existing greasing pits now in the open on the lot shall be entirely removed and the space concreted or surfaced with Colprovia or other similar impervious material; that the existing fence on masonry base shall be maintained in good condition and kept well painted at all times; that the concrete paving of the sidewalk along Stuyvesant place shall be continued for the full depth of the lot; that the curb cuts shall be restored along Stuyvesant place and Richmond terrace, except for the curb cut along Stuyvesant place with a width of not over 25 feet and two (2) curb cuts along Richmond terrace not over twenty-five (25) feet in width each; that no gasoline pumps shall be erected nearer than ten (10) feet to the street building line of Richmond terrace; that no signs shall be erected on the plot, except the permanent sign attached to the facade of the accessory building facing Richmond terrace and on the illuminated globes of the gasoline pumps, excluding all temporary signs, and roof signs, but permitting the erection within the building lines of a post

standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale; that all permits required shall be obtained and all work completed within one year from the date of this resolution.

607-42-BZ.

APPLICANT—J. M. Berlinger, for Janetta Whitridge, Mary Whitehouse and Harriet Aldrich, owners.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: J. M. Berlinger and Collins.

For Opposition: Harold Klorfein, Dep't of Parks and R. J. Stark.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (607-42-BZ)

WHEREAS, J. M. Berlinger, for Mary Whitehouse, Harriet Aldrich and Janetta Whiteridge, owners, filed on August 5, 1942, an application under section 7h of the zoning resolution, to permit in a retail use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4-8 West 58th street, south side, 135 ft. west of Fifth avenue (Block No. 1273, Lot No. 44), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 1, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that West 58th street and Fifth avenue are in retail and restricted retail use districts; East 58th street is in a restricted retail use district and West 57th street is in a restricted retail use district; and

WHEREAS, the decision of the borough superintendent dated July 22, 1942 and as amended August 26, 1942 reads:

"Your application dated July 21, 1942, for a certificate of occupancy for the use of the above premises for the parking of more than five (5) motor vehicles, and amended as of August 21, 1942, to include 'and storage', has been denied. These premises are located in a retail district where the parking and storage of more than five (5) motor vehicles is prohibited by Section 4-a, Art. II of the Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 65 ft. and a depth of 100 ft. 5 in. and that it is proposed to use the plot, for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision h, of the zoning resolution.

Resolved, that the decision of the borough superintendent dated August 26, 1942, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

610-42-BZ.

APPLICANT—Mac L. Reiser, for Mary and Philip Oginsky, owners (Martha Kozak, lessee).

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SUBJECT—Application (re decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—336-338 (340 displayed) New Jersey avenue, west side, 125 ft. north of Belmont avenue (Block No. 3738, Lot Nos. 30 and 31), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mac L. Reiser, Martha Kozak and Philip Oginsky.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (610-42-BZ)

WHEREAS, Mac L. Reiser, for Mary and Philip Oginsky, owners (Martha Kozak, lessee), filed August 6, 1942, an application under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles: premises 336-338 (340 displayed) New Jersey avenue, west side, 125 ft. north of Belmont avenue (Block No. 3738, Lot Nos. 30 and 31), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 1, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that New Jersey avenue is in a residence and business use district; Pennsylvania avenue, Pitkin avenue and Belmont avenue are each in a business use district; and

WHEREAS, the decision of the borough superintendent on B. N. Applic. No. 296-42, dated July 14, 1942, reads:

"1. Parking and storage for more than five motor vehicles in a residential zone is contrary to Art. II, Sec. 3 of the zoning resolution."

and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft.; that upon the rear of the plot, there is located a two-story (one-family) frame dwelling and that it is proposed to use the plot, for a term of two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision h, of the zoning resolution, and that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and is therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on B. N. Applic. No. 296-42, Objection No. 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

787-27-BZ.

APPLICANT—George H. Cohn, for Crew Levick Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Application (decision of the superintendent of buildings) previously granted on condition, under section 21 of the build-

ing zone resolution, permitting partly in a business use and partly in a residence use district, the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—Northeast corner of Bay Ridge avenue and Shore road (Block No. 5859, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: George H. Cohn.

For Opposition: Harold Klorfein, Dep't of Parks

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (787-27-BZ)

WHEREAS, Louis A. Sheinhart, for Edis Realty Co., Inc. owner, filed, July 7, 1927, an application, under section 21 of the zoning resolution, to permit, partly in a business district and partly in a residence district, the erection and maintenance of a gasoline service station; premises northeast corner of Bay Ridge avenue and Shore road (Block No. 5859, Lot No. 10), Borough of Brooklyn; and

WHEREAS, this application was granted on April 3, 1928 and plans were approved May 15, 1928; and

WHEREAS, the applicant representing a new owner, requested amendments to the resolution, to permit certain changes that have been made not in compliance therewith; and

WHEREAS, the resolution adopted April 3, 1928 was as follows:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* only so far as it is restricted to a plot fronting 40 ft. on Shore road, *on condition* that there shall be erected along the northerly property line of this property a brick wall; that the Shore road frontage and the Bay Ridge avenue frontage shall be maintained open; the roof or cover of gasoline station to be supported by not less than four free-standing columns of attractive architectural design; that there shall be erected along the building line on the Shore road frontage and the Bay Ridge avenue frontage a concrete curbing at the building line not less than 12 inches in height above grade, other than the driveway entrances and exits to the property on the Bay Ridge avenue front; that the interior of the northerly enclosing wall shall be finished with enameled brick; that the entablature of the covering on the street front shall be of architectural terra cotta or light enamel brick; that the property shall not be enclosed on the street or avenue frontage; that there shall be no portable gasoline tanks operated or maintained on these premises; that there shall be no grease racks or crankcase service frames installed or maintained on these premises; that any advertising displayed shall be confined to the frieze of the entablature or the globes of the gasoline pumps; that the architect shall make a return of the drawings to this board for approval in accordance with resolution; that all permits required shall be obtained within six months and all work completed within one year from the date of this action."

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of April 3, 1928, by adding thereto:

"that any curb cuts that have been constructed with or without permits from Shore road, shall have the curbs restored and permits surrendered; that the curbing

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hereinbefore required, shall be constructed along the building line of the Shore road frontage; that such curbing shall be anchored or doveled into the existing concrete and shall be 12 in. in height and not less than 12 in. in width; that additional curbing may be omitted along the Bay Ridge avenue frontage, provided the existing entrances are not increased beyond the existing widths; that the existing greasing equipment within the building of the hydraulic type, may be maintained; that no additional advertising other than that hereinbefore referred to, shall be maintained and any existing signs other than that hereinbefore permitted and other than the illuminated globes on the exterior facades of the building, shall be removed and any signs painted on the rear wall to the north shall be completely painted out; that no cars shall be stored or serviced outside of the building line; that the existing opening in the rear wall to the north to the adjoining Lot No. 12 may be continued as a means of entrance and exit to such lot, but the existence of this opening shall not constitute an extension of the gasoline selling area as herein described, namely, with a frontage on Shore road of 40 ft. and a depth of 120 ft. along Bay Ridge avenue comprising Lot No. 10; that this resolution is amended with the understanding that compliance with the original resolution as herein amended shall be immediately effected and in no event beyond 90 days from the date of this amended resolution."

APPEAL FROM ADMINISTRATIVE DECISION.

524-42-A.

APPLICANT—Clifford L. Snyder, for The Fordham Methodist Episcopal Church, owner (Clifford L. Snyder, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx.

APPEARANCES—

For Applicant: George Goodstein and Clifford L. Snyder.

For Opposition: Harry Kerner and Harold Levine.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (524-42-A)

WHEREAS, Clifford L. Snyder, for The Fordham Methodist Episcopal Church, owner (Clifford L. Snyder, lessee), filed June 29, 1942, an appeal from a decision of the acting borough superintendent; premises 2545 Marion avenue, west side, 149.45 ft. north of Fordham road (Block No. 3286, Lot No. 69), Borough of The Bronx; and

WHEREAS, the decision of the acting borough superintendent, dated June 4, 1942, re Alt. Applic. No. 192-42, reads:

"2. Use of frame dwelling for business purposes contrary to Section 2.1.3.5."

and

WHEREAS, the applicant states that the building is two stories (25 ft.) in height, 35 ft. by 35 ft. in area at 1st floor; 35 ft. by 31 ft. in area at typical floor; of Class 4 construction; erected prior to 1925; located in a residence use district; occupied: Cellar, ordinary use and licensed plumber; 1st floor, dentist's office and dwelling; 2nd floor, dwelling; that it is proposed to be used: Cellar, same; 1st floor, same; 2nd floor, dwelling and funeral director's office; and

WHEREAS, the applicant contends that it is proposed to maintain a small funeral director's sign 61 in. by 24 in. in size and a funeral director's office on the premises involved; that the premises is located 149 ft. north of Fordham road, which is an extremely busy business thoroughfare, with the business zone running back 100 feet; that the owner of the property, the Fordham Methodist Episcopal Church owns the premises, consisting of a church at 2543 Marion avenue and the two adjoining private dwellings, one of which is the building in question; that the applicant here is President and Trustee of the Church and desires to erect a sign and maintain a small office in his apartment; that this proposed use is desirable for the convenience of members of the church and that no actual funerals will be conducted at the premises.

Resolved, that the decision of the acting borough superintendent on Alt. Applic. No. 192-42, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the occupancy of the building shall comply with the requirements of the resolution adopted this day under Cal. No. 523-42-BZ.

Adjourned: 1:10 P.M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, DECEMBER 1, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

ZONING CASES.

1051-27-BZ.

APPLICANT—Lama and Proskauer, for Rutland Parkway, Incorporated, owner (Sinclair Oil Refining Company, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution re additional use (decision of the borough superintendent) under sections 7c and 21 of the zoning resolution, to permit in a business use district, the inclusion of parking and storage and minor repairs in the occupancy of a gasoline service station previously granted by the Board.

PREMISES AFFECTED—724-740 Ralph avenue and 81-101 East 98th street, northwest corner (Block No. 3530, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

614-42-BZ.

APPLICANT—Seelig and Finkelstein, for Corbin Gardens, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a residence use and partly in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—161-177 Corbin place and 1189-1199 Brighton Beach avenue, northeast corner (Block No. 7516, Lot No. 2973), Borough of Brooklyn.

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APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (614-42-BZ)

WHEREAS, Seelig and Finkelstein, for Corbin Gardens, Incorporated, owner, filed on August 10, 1942, an application with the Board of Standards and Appeals, from a decision of the borough superintendent, affecting premises 161-177 Corbin place and 1189-1199 Brighton Beach avenue, northeast corner (Block No. 7516, Lot No. 2973), Borough of Brooklyn; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

558-37-BZ.

APPLICANT—Philip S. Garozzo, for Michael Garozzo (lessee), for Druiss Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, for a term of two (2) years, permitting in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

APPEARANCES—

For Applicant: Philip S. Garozzo.

For Opposition: Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (558-37-BZ)

WHEREAS, Michael Garozzo, for Druiss Co., Inc., owner, filed, November 26, 1937, an application under the zoning resolution, to permit in a business use district for a temporary period of not more than (2) years, the parking and storage of more than five (5) motor vehicles; premises: 62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan; and

WHEREAS, this application was granted by the board September 27, 1938, on certain conditions, time extended December 13, 1938 and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted September 27, 1938, as amended December 13, 1938, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

"* * * Granted for a term of two (2) years from the date of this *amended* resolution * * *"

1002-41-BZ.

APPLICANT—Jack Z. Cohen, for Board of Transportation, City of New York and Henbar, Incorporated, owners; request for reopening made by Patrick Sottile, lessee.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—137-151 Livingston street and 22-30 Smith street, northwest corner (Block No. 154, Lot Nos. 26 and 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney Rossman, Nathan Podolsky and Patrick Sottile.

For Administration: Fred Dahlem and Dewey Rothkrug, Dep't of Housing and Buildings, and Gustave Goldman, Board of Education.

ACTION OF BOARD—

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (1002-41-BZ)

WHEREAS, Jack Z. Cohen, for Board of Transportation, City of New York, and Henbar, Inc., owners, filed November 19, 1941, an application under section 7h of the zoning resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 137-151 Livingston street and 22-30 Smith street, northwest corner (Block No. 154, Lot Nos. 26 and 28), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board on March 31, 1942, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on March 31, 1942, only so far as it has reference to obtaining permits and the completion of work, so that as amended, this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within three (3) months from the date of this *amended* resolution."

APPEALS FROM ADMINISTRATIVE DECISIONS.

628-42-A.

APPLICANT—J. M. Berlinger, for Charles F. Hubbs and Company, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—383-387 Lafayette street and 22 East 4th street, southeast corner (Block No. 531, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Applicant: J. M. Berlinger.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and restored to calendar.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

407-42-A.

APPLICANT—Arthur Weiser, for 28th Properties, Incorporated, owner.

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SUBJECT—Application reopened and restored to calendar, October 14, 1942, re Appeal from a decision of the borough superintendent (previously withdrawn).

PREMISES AFFECTED—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (407-42-A)

WHEREAS, Arthur Weiser, for 28th Properties, Inc., owner, filed on May 20, 1942, an appeal from a decision of the borough superintendent affecting premises 31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated April 30, 1942, on Alt. Applic. No. 564-42, reads:

"1. Change of 2nd and 3rd floors of a frame building from residence to a business use, is contrary to Section 4.2.1. of the Building Code."

and

WHEREAS, the applicant states the building is three stories (31 ft. 9 in.) in height; 25 ft. by 90 ft. in area at first floor; 25 ft. by 50 ft. 6 in. in area at typical floor; of Class 4 construction; located in a business use district and erected 1900 and used and occupied since 1935 as follows: Cellar, storage; first floor, furniture store, 1 person; second floor, storage; third floor, storage; that no change in use or occupancy is proposed; and

WHEREAS, the applicant contends that the building, while originally erected as a tenement house, has been used for business since at least 1916; that the present owner, before purchasing the property a little over six years ago, observed that the building was used as a business building and took the necessary precautions through title search to see if any violations existed; that the report showed no violations against the premises; that recently the building was rented to a retail furniture merchant and plans filed under Alt. No. 11781-1942 to change the store front; that alteration application stated the 2nd and 3d floors were to be used for business; that plans were approved, work completed and after completion, a violation was issued by the Building Department, ordering the use of the cellar, 2nd and 3rd floors to be discontinued for business; that this condition created a severe and unreasonable hardship on the owner and tenant; that after the service of the violation, the owner investigated and found that the building had been used for business purposes prior to 1916; that an affidavit to this effect was filed with the borough superintendent; that the owner is willing to make such structural alterations necessary, to provide the necessary floor load and egress to comply with the Building Code; and

WHEREAS, the premises were inspected by a Committee of the Board; and

WHEREAS, the applicant did not appear at this meeting to prosecute this appeal.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

439-42-A.

APPLICANT—15-17 West 84th Street, Incorporated, owner. SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—15 West 84th street, north side, 220 ft. west of Central Park West (Block No. 1198, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (439-42-A)

WHEREAS, 15-17 West 84th Street, Incorporated, owner, filed on May 28, 1942, an appeal from a decision of the borough superintendent affecting premises 15 West 84th street, north side, 22 ft. west of Central Park West (Block No. 1198, Lot No. 23), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated April 29, 1942, reads:

"The zoning violation against the above premises, of occupying the front room of the first story west apartment by a furrier, was further discussed at a staff meeting of this department.

I regret to advise you that it was the consensus of opinion that the use of these premises, in a residence district, does not come under the interpretation of Article 2, Section 3(9)(c). It cannot be considered a home occupation or an accessory use serving exclusively the convenience of occupants of the building, within the meaning of the section. The previous decision of former superintendent Campbell was concurred in.

Under the circumstances, the alternative in complying with the law under the terms of the violation is to appeal from the denial of this department to the Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is five stories in height, 37½ ft. by 91 ft. in area; of Class 3 construction; erected 1888; located in a residence use, B area district, and occupied as a Class A Multiple Dwelling; and

WHEREAS, a violation, No. 100-41, issued October 24, 1941, was for occupying the front room of 1st story west apartment as a furrier (business) in a residence district, where prohibited by law, also displaying sign in window advertising such business; and

WHEREAS, the applicant contends that the first floor west apartment was leased April 1, 1941 to expire April 30, 1943, and has since been occupied by a single family; that since the inception of the lease, this family has occupied this apartment as a place of residence, occasionally however, one son has from time to time, conducted some business in the front room of the apartment as a fur retail artisan; that this front room is an integral part of the apartment and not shut off from the other rooms; that the tenant has displayed a sign not more than 1 sq. ft. in area, indicating the nature of the home occupation, and that no other persons are employed in this incidental use of the front room; that the occupant is engaged away from home as a factory worker and engages in his incidental fur repair work during an evening or a Saturday; and

WHEREAS, the applicant further contends that by virtue of Art. 2, Section 3, Subdivision 9C, of the zoning resolution, that this apartment has not been used in violation of the zoning resolution; that the decision of the borough superintendent has been based primarily on the contention that fur repair work is not "similar" occupation as intended by Section 3 of the zoning resolution; that there is no essential difference between dress making or millinery work and that of fur repair work; that the borough superintendent is in error in stating that the question is whether the use will serve exclusively the convenience of occupants of the building to which it is accessory, and that dress making, millinery and similar home occupations are seldom engaged in in residential buildings where the clientele are exclusively residents of the same building, and that the

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fact that Subsection 9C permits the use of a business sign not exceeding 1 sq. ft. in area tends to support this contention; and

WHEREAS, these premises were the subject of an inspection and report by a committee of the Board, which report reads as follows:

REPORT OF COMMITTEE.

November 25, 1942.

Re: Cal. No. 439-42-A.

Premises: 15-17 West 84th street, Manhattan.

The question raised by this appeal is whether the conduct of a furrier business in an apartment, in a residential use district, is a home occupation, such as is contemplated as permissible by Section 3, paragraph 9c of the Zoning Resolution.

As the law now reads, accessory uses permitted by Section 3, paragraph 9c of the Building Zone Resolution are limited to serving exclusively the convenience of the occupants of the building to which such uses are accessory.

This is obviously not so in the instant case and is sufficient reason why the action of the Superintendent of Buildings should be affirmed by the Board. In addition thereto, it is the opinion of the Committee that the test laid down by the Court of Appeals in the case of *Barbour v. City of Long Beach*, 279 N. Y. 167, as to what constitutes an accessory use is not met here. Quoting the court: "The test is whether the petitioner's tenant occupied the house as a home for himself and his wife and children, and incidentally kept boarders also, or whether he occupied it as a place for carrying on the business of keeping boarders, although while prosecuting the business, and as a means of prosecuting the business, he and his wife and children live in the house also." Under this test, continues the opinion of the court, "neither the size of the house nor the number of the boarders are of importance, except as evidence that may have weight in determining which is the principal use for which the building is occupied."

In the present case the apartment is on the ground floor of a Class A Multiple Dwelling, erected as a tenement house in 1888 and located in a zone restricted to residence use. The tenant conducts his furrier business in the front portion of the apartment and the family occupies the rear rooms for living purposes. With the windows facing West 84th street, the occupancy is plainly visible, particularly as a sewing machine is at the window. At night, the windows are illuminated. A small business sign is displayed. The front portion of the apartment is given up to the furrier business and differs in no way from a similar establishment of similar size as it would be maintained in a business use district.

It is the opinion of the Committee that the apartment is occupied to carry on a furrier business and incidentally the family also lives there, and, therefore, it cannot be considered as falling within the classification of an accessory use contemplated by Section 3, paragraph 9c of the Building Zone Resolution. Throughout New York, in business use districts, there are thousands of permitted business stores where the operators reside in rooms at the rear. Certainly such business stores could not be classed as home occupations.

The Committee therefore recommends that the decision of the Borough Superintendent be affirmed and the appeal be denied.

(Sgd) HARRIS H. MURDOCK,

Chairman,

BERNARD A. SAVAGE,

Commissioner,

CHARLES M. BLUM,

Commissioner,

JOHN E. GUNN,

Deputy Fire Chief.

Resolved, that the decision of the borough superintendent dated April 29, 1942, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

447-42-A.

APPLICANT—Herman Wolff and Isaac Kallich, for Jewish Training School Academy Yavne, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—510 Dahill road, west side, 60 ft. south of 40th street (Block No. 4382, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION* (447-42-A)

WHEREAS, Herman Wolff and Isaac Kallich, for Jewish Training School Academy Yavne, owner, filed June 2, 1942, an appeal from a decision of the borough superintendent; premises 510 Dahill road, west side, 60 ft. south of 40th street (Block No. 5382, Lot No. 26), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated May 28, 1942, re Applic. No. 73-42, reads:

"Changing occupancy from residence to public use in a frame bldg. is contrary to 2-1-3-5 and 4-2-1 of Bldg. Code."

and

WHEREAS, the applicant states the building is two stories and basement (25 ft.) in height, 23 ft. by 37 ft. 6 in. in area; Class 4 construction; located in a residence use district; erected approximately 25 years ago; occupied: basement, storage and boiler-room; 1st floor, school, 17 persons; 2nd floor, dwelling, one family; and

WHEREAS, Violation No. 108-41 issued January 8, 1941, was for removing frame porch at front and erecting concrete stoop without a permit and maintaining premises as a school on the first floor without a certificate of occupancy; and

WHEREAS, the applicant contends that building is provided with a rear yard and open porch on both sides; that egress is available from rear to street and also through front stairway to street; that affidavits have been filed with the borough superintendent, giving the evidence of the use of premises as training school for the past sixteen years; that the alteration is of a minor nature, consisting only of removal of the front porch and existing outside stairs; that basement ceiling is protected with plaster boards and plaster; and

WHEREAS, the premises were inspected by a Committee of the Board; and the records, furnished by the Department of Housing and Building under Applic. No. 73-42, and Violation 3640 of 1940 and 108 of 1941, examined. Affidavits filed indicate that in addition to the illegal occupancy of the frame building as a training school for adults, the premises during part of the day are also occupied as a school for minor children, as sign on the premises indicates, and as was stated to the Committee at the inspection; and

WHEREAS, it appears that under Alt. Applic. 9892 of 1923, it was proposed to demolish the frame building in question and enlarge the adjoining synagogue, but that the proposal was not carried out; and

WHEREAS, the occupancy exceeds that claimed and the exits, floor capacity and ventilation are improper for the use as proposed.

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Resolved, that the decision of the borough superintendent acting on Applic. No. 73-42, be and hereby is *affirmed* and that the appeal be and it hereby is *denied*.

720-42-A.

APPLICANT—Gluckson Wool Stock Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—92-96 Clifton place, south side, 175 ft. west of Classon avenue (Block No. 1952, Lot Nos. 25, 26 and 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum, Joseph Boccia and J. Gluxson.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (720-42-A)

WHEREAS, Gluckson Wool Stock Co., owner, filed on October 6, 1942, an appeal from an order and decision of the fire commissioner affecting premises 92-96 Clifton place, south side, 175 ft. west of Classon avenue (Block No. 1952, Lot Nos. 25, 26 and 27), Borough of Brooklyn; and

WHEREAS, order No. 8985-LF issued by the fire commissioner June 12, 1942 and referred to in a decision of the fire commissioner dated September 14, 1942 reads:

"1. Provide throughout building a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the Fire Commissioner. C19-161.0 Administrative Code."

and

WHEREAS, the applicant states that the building is 4 stories (47 ft.) in height, 75 ft. by 113 ft. in area at first floor, 75 ft. by 72 ft. in area at typical floor, of class 1 and 3 construction, erected prior to 1909, located in an unrestricted use district and occupied since 1941 as follows: 1st floor—shipping and receiving—1 person; 2nd floor—baling, storing of wool stock and office—6 persons; 3rd floor—sorting and packing of graded wool stock—12 persons; 4th floor—sorting and packing of graded wool stock—6 persons, for which no Certificate of Occupancy has been issued; and

WHEREAS, the applicant contends that in an effort to comply with Item 1 of the order of the fire commissioner, the owner entered into a contract for the installation of a sprinkler system at a cost of \$4750; that the contractor was unable to comply, owing to the fact that they could not obtain materials for the installation, as no priorities were being issued for installations which were not closely identified with the war effort and the applicant therefore requests that the requirement for the installation of the sprinkler system be waived until such time as the priority on material has been lifted by the War Production Board; that if this request is not granted, the owner will suffer irreparable damage and will be compelled to discontinue the employment of the persons presently employed in the building; and

WHEREAS, the premises were inspected by a committee of the Board.

Resolved, that the order of the fire commissioner, No. 8985-LF, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

744-42-A.

APPLICANT—David Millman, for S. Millman and Son, for Joseph Pannullo, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—71 Taaffe place, east side, 132 ft. 11 in. north of Park avenue (Block No. 1883, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (744-42-A)

WHEREAS, David Millman, for S. Millman and Son, for Joseph Pannullo, owner, filed on October 20, 1942, an appeal from a decision of the borough superintendent, affecting premises 71 Taaffe place, east side, 132 ft. 11 in. north of Park avenue (Block No. 1883, Lot No. 7), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 19, 1942, on Alt. Applic. No. 2761-42, reads:

"1. Proposed change of occupancy of basement of present basement and three story frame structure from dwelling use to use as a machine shop is contrary to (2.1.3.5) §C26-185.0 and (4.1.5) §C26-250.0 of Code."

and

WHEREAS, the applicant states that the building is three stories and basement (30 ft.) in height; 22 ft. by 38 ft. 8 in. in area at first floor; 22 ft. by 22 ft. 6 in. in area at typical floor; of Class 4 construction; located in an unrestricted use district; and occupied since 1908 as a two family dwelling; and proposed to be occupied: basement, machine shop, 4 persons; first and second floors combined. one family; third floor, one family; and

WHEREAS, it is proposed to erect a one story, Class 3 extension to the existing Class 3 constructed basement story; to remove existing partitions on basement story; to provide additional exit from basement at rear with egress to street through side yard, 3 ft. wide, leading direct to street at north side; to remove existing bathroom at rear of first story; to install new bathroom on second story and new bathroom on third story, and new fire escape at front of building leading from third story to grade as shown on plan filed September 23, 1942, with Alt. Applic. 2761-42, in the office of the borough superintendent; and

WHEREAS, the applicant contends that the owner, who resides on the premises, desires to use the basement as a machine shop for subcontracting the manufacture of small machine parts in connection with National Defense and for this reason it is proposed to extend the basement an additional depth of 16 ft. 2 in. to provide the necessary space to operate the machine shop; that the basement ceiling will be covered with one-half inch plaster boards and two coats of gypsum mortar; that the refusal to permit the proposed use of basement story as a machine shop by the owner and three employees, will result in an economic hardship to the owner; and

WHEREAS, the premises were inspected by a committee of the Board whose verbal report by the chairman recommended denial of the appeal.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 2761-42, objection No. 1, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

834-42-A.

APPLICANT—Defense Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—Blocks bounded by 268th to 271st streets, Hewlett street and between 76th and 77th avenues, 76-04 to 76-54 268th street (Block No. 8543, part of Lot No. 1), 76-03 to 76-53 268th street (Block No. 8546, part of Lot No. 1), 76-04 to 76-54 269th street (Block No. 8546, part of Lot No. 1),

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76-03 to 76-53 269th street (Block No. 8547, part of Lot No. 1), 76-04 to 76-54 270th street (Block No. 8547, part of Lot No. 1), 76-03 to 76-53 270th street (Block No. 8548, part of Lot No. 1), 76-04 to 76-54 271st street (Block No. 8548, part of Lot No. 1), 76-03 to 76-53 271st street (Block No. 8549, part of Lot No. 1), 76-04 to 76-54 Hewlett avenue (Block No. 8549, part of Lot No. 1), 76-03 to 76-45 Hewlett avenue (Block No. 8550, part of Lot No. 1), 267-14 to 267-18 77th avenue (Block No. 8545, part of Lot No. 1), 268-14 77th avenue (Block No. 8551, part of Lot No. 1), 269-04 77th avenue (Block No. 8552, part of Lot No. 1), 269-18 77th avenue (Block No. 8552, part of Lot No. 1), 270-08 to 270-18 77th avenue (Block No. 8553, part of Lot No. 1), 271-04 to 271-16 77th avenue (Block No. 8554, part of Lot No. 1), Bellerose, Borough of Queens.

APPEARANCES—

For Applicant: Sidney Sperber.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (834-42-A)

WHEREAS, Defense Building Corporation, owner, filed on November 30, 1942, an appeal from a decision of the borough superintendent affecting premises 76-04 to 76-54 268th street, south side, between 76th and 77th avenues (Block No. 8543, part of Lot No. 1); 76-03 to 76-53 268th street, north side, between 76th and 77th avenues; 76-04 to 76-54 269th street, south side, between 76th and 77th avenue (Block No. 8546, Lot No. 1); 76-03 to 76-53 269th street, north side, between 76th and 77th avenues; 76-04 to 76-54 270th street, south side, between 76th and 77th avenues (Block No. 8547, Lot No. 1); 76-03 to 76-53 270th street, north side, between 76th and 77th avenues and 76-04 to 76-54 271st street, south side, between 76th and 77th avenues (Block No. 8548, Lot No. 1); 76-03 to 76-53 271st street, north side, between 76th and 77th avenues; 76-04 to 76-54 Hewlett avenue, south side, between 76th and 77th avenues (Block No. 8549, Lot No. 1); 76-03 to 76-45 Hewlett avenue, north side, running easterly 484 ft. from 76th avenue (Block No. 8550, part of Lot No. 1); 267-14 to 267-18 77th avenue, southwest corner 268th street (Block No. 8545, part of Lot No. 1); 268-14 77th avenue, southeasterly side, 60 ft. southwest from 269th street (Block No. 8551, part of Lot No. 1); 269-04 77th avenue, southeast corner 269th street (Block No. 8552, part of Lot No. 1); 269-18 77th avenue, southwest corner, 270th street (Block No. 8552, part of Lot No. 1); 270-08 to 270-18 77th avenue, southwest corner, 271st street (Block No. 8553, part of Lot No. 1); 271-04 to 271-16 77th avenue, southeast corner, 271st street (Block No. 8554, part of Lot No. 1), Bellerose, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 30, 1942, on N. B. Applications 1155 to 1244-42, inclusive, reads:

"1. The proposed use of Victory Cast Iron Pipe inside of house in place of approved extra heavy cast iron pipe is contrary to Sec. 14-3-13 of the Building Code."

and

WHEREAS, the premises consist of 12 separate plots comprising an area located within the residence and business use, D area district, upon which it is proposed to erect approximately 130, one family dwellings, one story, 22 ft. in height; 33 ft. by 25 ft. 5 in. in area; of Class 4 construction; and

WHEREAS, the applicant contends that the War Production Board by its Order No. L-42, regulating the weights and

of soil pipe has eliminated the extra-heavy pipe which is required to be installed pursuant to the provisions of the Administrative Building Code and has substituted a weight known as "Victory Weight"; that the only question involved in this appeal is the substitution of four-inch cast iron soil pipe weighing 40 lbs. per single hub length and 42 lbs. per double hub length and cast iron soil pipe fittings of standard weight in lieu of extra heavy cast iron pipe and fittings required by the Building Code.

Resolved, that the decision of the borough superintendent, acting on N. B. Application Nos. 1155 to 1244-42, inclusive, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects plumbing and drainage shall comply with all laws, rules and regulations applicable thereto.

84-42-A.

APPLICANT—Levy and Berger, for New York and New Jersey Christian Missionary Society, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—176-180 (178-180 displayed) Patchen avenue and 718 (720 displayed) Hancock street, southwest corner (Block No. 1662, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph Levy, Jr.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (84-42-A)

WHEREAS, Levy and Berger, for New York and New Jersey Christian Missionary Society, owner, filed on January 27, 1942 an appeal from a decision of the borough superintendent; premises 176-180 (178-180 displayed) Patchen avenue and 718 (720 displayed) Hancock street, southwest corner (Block No. 1662, Lot No. 44), Borough of Brooklyn; and

WHEREAS, this appeal was granted by the Board on March 24, 1942, on certain conditions; and

WHEREAS, the resolution adopted on March 24, 1942, was as follows:

"*Resolved*, that the decision of the borough superintendent, on Alt. Applic. 44-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection No. 8, *on condition* that the building shall not be further increased in height or area; *granted* as to Objection No. 9, *on condition* that the proposed interior stairway shall conform in all respects with the requirements of the Building Code therefor and the number of occupants per story shall not exceed the permitted occupancy for such stairway; and that the existing stairway enclosure may be permitted with 1-hour, self-closing doors thereto; that as to Objection No. 10, that the exterior stairway shall be substantially as indicated but shall not be included for computing permitted occupancy above the first floor; that both the interior and exterior stairways shall extend to the roof; that the floor loads shall be made to comply with the requirements for a building hereafter constructed for a similar use based on the stresses as permitted in the Building Code as adopted in 1916; that all exits shown at grade shall be maintained; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto."

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WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on March 24, 1942, by adding thereto:

"* * * that in the event steel is not available for the construction of the proposed new interior stairway, that such stairway may be constructed of wood, provided the framing for the stairway is either fireproof wood or oak and the soffit and stringers throughout are fire retarded with wire lath and cement plaster, the stair threads are of incombustible material and the risers are constructed of fireproof wood; that the balustrade and hand rail may be of non-fireproof wood; that the third floor occupancy shall be for office in connection with the social service agency instead of school as formerly proposed, and the floor loading therefor shall not exceed 50 lbs. per sq. ft.; that the proposed stairway shall be continued to the roof as hereinbefore required; that the exits from the first floor as shown shall be maintained, namely main entrance directly to Hancock street, entrance to Patchen avenue and exit with steps up to rear fire escape leading direct to rear yard and thence to Patchen avenue."

96-42-S.

APPLICANT—Sidney Daub, for Estate of William Colgate, owner.

SUBJECT—Application for consideration—reopening to amend statement of applicant—re Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—43 East 20th street, north side, 200 ft. west of Fourth avenue (Block No. 849, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and statement of applicant amended.

THE VOTE TO REOPEN AND AMEND STATEMENT OF APPLICANT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (96-42-S)

WHEREAS, Sidney Daub, for Estate of William Colgate, owner, filed on January 30, 1942, an application for a variation of the requirements of the Labor Law affecting premises 43 East 20th street, north side, 200 ft. west of Fourth avenue (Block No. 849, Lot No. 30), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 23-42 dated January 10, 1942, reads:

"2. Means of egress from rear fire exit to comply with Section 273, Subdiv. 9 of Labor Law—as shown it is inaccessible."

and

WHEREAS, the applicant states that the building is eight stories (98 ft.) in height; 25 ft. by 92 ft. in area at first floor; 25 ft. by 83 ft. in area at typical floor; of Class 1 construction; erected 1899; located in an unrestricted use district and occupied as follows: Cellar, storage of building materials, no persons; first floor, restaurant, 50 persons; second floor, manufacture of rubber pads, 10 persons; third floor, manufacture of leather goods, 10 persons; fourth floor, manufacture of leather novelties, 10 persons; fifth floor, manufacturing leather goods, belts, 10 persons; sixth floor, tailors, 10 persons; seventh floor, furniture finishers, 10 persons; eighth floor, manufacturing leather goods, 10 persons. No change in use or occupancy is proposed. The building is equipped with a two source sprinkler system and a standpipe system. There is one interior 3 ft. wide stair-

way of fireproof construction leading from roof to street and one exterior stairs at rear extending to roof by stair and to grade, with egress from termination through rear building. Windows on the course of the exterior fire escape are fireproof and self-closing; and

WHEREAS, the applicant contends the building is small in area with an unhazardous occupancy and has been used for manufacturing since its erection; that in 1914 the State Department of Labor approved the erection of the 2 ft. wide rear exterior stairway with egress from the termination to the adjacent northerly yard; that in lieu of this means of egress, it is proposed to provide a connection to the fire escape to the second story of the adjacent westerly building under an easement agreement permitting the use thereof; that this fire escape will terminate in the adjacent northerly yard; that the proposed condition will be similar to the existing condition and it is therefore requested that the proposed conditions be permitted; and

WHEREAS, the applicant, under date of November 20, 1942, requested a correction to his statement relative to the ownership of the adjoining premises to the west.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the borough superintendent, acting on Alt. Applic. 23-42, Objection No. 2; and that the application be and it hereby is granted on condition that the exit from the fire escape of the building in question shall be constructed substantially as indicated on plans filed with the borough superintendent on January 8, 1942, providing exit to the street either through building at 41 East 20th street or building at 42 East 21st street; that the doors into such buildings shall be open to permit such exit during working hours; that a copy of the easement agreement shall be filed with the Borough Superintendent.

482-42-S.

APPLICANT—Frank C. Keller, for Ford Instrument Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—31-10 Thompson avenue, south side, from 31st street to 31st place (Block No. 278, Lot No. 9), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: R. A. Caughey and Frank C. Keller.

ACTION OF BOARD—Application reopened, statement of applicant amended and resolution amended.

THE VOTE TO REOPEN AND AMEND STATEMENT OF APPLICANT—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (482-42-S)

WHEREAS, Frank C. Keller, for the Ford Instrument Co., owner, filed on June 17, 1942, an application for variation of the requirements of the Labor Law as cited in an order and decision of the fire commissioner, affecting premises 31-10 Thompson avenue, south side, from 31st street to 31st place (Block No. 278, Lot No. 9), Long Island City, Borough of Queens; and

WHEREAS, Order No. 8354-LF issued by the fire commissioner March 25, 1942 and referred to in the decision of the fire commissioner dated June 15, 1942 reads:

"3. Arrange metal screens on all windows on all stories so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress, as per Section 272 of the Labor Law.

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6. Arrange all doors so that same can be opened from both sides. Section 272 of the Labor Law.

7. Remove all partitions not built of incombustible material as per Section 263 and 270 of the Labor Law." and

WHEREAS, the applicant states that the building is 4 stories (52 ft. 6 in.) in height, 199 ft. 11³/₄ in. by 440 ft. 9 in. in area, of class 3 construction, located in an unrestricted use district, erected under N. B. Applic. 2711-19 and altered under Alt. Applic. No. 2931-40, and occupied since June 1942 as follows: cellar—manufacturing—457 persons; 1st floor—assembly—510 persons; 2nd floor—office and paint shop—171 persons; 3rd floor—office and spare parts—65 persons; 4th floor—office—150 persons; proposed to be occupied as follows: cellar—same—500 persons; 1st floor—same—650 persons; 2nd floor—same—220 persons; 3rd floor—same—160 persons; 4th floor—same—160 persons; that the building is equipped with a sprinkler system, standpipe system, interior fire alarm system and *no* fire drills are maintained; that there are five 46 in. fireproof stairs in the building leading from street to roof; that the building has been approved by the borough superintendent under Alt. Applic. No. 2931-40 for manufacturing and offices and for the proposed number of occupants, but no Certificate of Occupancy can be issued during the pendency of the order herein appealed; and

WHEREAS, the applicant contends as to Item 3 of the Fire Commissioner's order, that the locked screens are located on the first floor and basement as shown on plans filed with this application marked "Received August 28, 1942" and can be readily unlocked in case of emergency by a watchman who is on duty 24 hours a day; that these screens are kept locked by order of the Army and Navy to prevent sabotage; and

WHEREAS, the applicant contends as to Item 6 of the fire commissioner's order, that all doors leading to stair halls will be kept open during working hours, except the doors leading direct to street, which will be equipped with panic bolts of approved types, so as to prevent ingress from the street by order of the Army and Navy departments; and

WHEREAS, the applicant contends as to Item 7 of the fire commissioner's order, that permission is requested to continue the use of combustible partitions as shown on plans filed with this application marked "Received August 28, 1942" as these partitions have existed since the building was first occupied; that a change now would greatly retard the production of essential war materials; and

WHEREAS, the applicant filed a copy of a communication from the War Department, containing the recommendations of the War Department relative to the matters herein appealed; and

WHEREAS, the applicant under date of November 23, 1942, requested an amendment of his answer to Item N of application form, so that as amended his answer to said Item N, "Are fire drills maintained?" shall be in the negative instead of the affirmative; and

WHEREAS, the applicant also desired an amendment of the resolution adopted by the Board on October 14, 1942, as to maintenance of the fire prevention equipment.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in an order of the fire commissioner, Order No. 8354-LF, and that the application be and it hereby is *granted* as to Obj. 3, *on condition* that the screens shall be maintained as proposed; that the existing exit doors shall be continued; as to Obj. 6, that approved panic bolts may be installed on such exit doors as are indicated to have panic bolts on plans filed with this application; as to Item 7, that no additional partitions or incombustible materials shall be erected and that all partitions of incombustible material not in compliance with the requirements of the Labor Law shall be removed within two (2) years from the date of this resolution; that the variance herein granted as to Objections 3 and 6 shall be only for the term of the present emergency and while the building is being occupied as herein set forth; that it shall comply in all other respects with all

laws, rules and regulations applicable thereto; that the sprinkler system, standpipe system and interior fire alarm system shall be maintained to the satisfaction of the fire commissioner; *that the occupancy of the building shall not exceed that permitted with the increased allowance due to sprinkler system, as limited under the Labor Law when fire drills are not maintained*; that a certificate of occupancy shall be obtained.

APPLIANCE AND MATERIALS SUBMITTED FOR APPROVAL.

715-39-SA.

APPLICANT—Carrier Corporation, owner.
SUBJECT—Carrier Cold Diffusers, Types 1400, 1800, 15G, 15J, 15K, 15M, 15Q, 15T and 39K, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to December 8, 1942 at 2 P. M. at written request of applicant.

1002-39-SM.

APPLICANT—Dusing and Hunt, Inc., owner.
SUBJECT—The Perfection Joint Cover (for protection of horizontal stone joints), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (1002-39-SM)

WHEREAS, Dusing and Hunt, Inc., owner, filed on July 27, 1939, an application with the Board of Standards and Appeals for approval of the material known as the Perfection Joint Cover (for protection of horizontal stone joints); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 16, 1942.

Cal. No. 1002-39-SM.

Subject: Perfection Joint Cover (for protection of Horizontal Stone Joints), Approval of.

Dusing and Hunt, Inc., of 1927 Elmwood Avenue, Buffalo, New York, filed July 27, 1939, an application with the Board of Standards and Appeals for approval of the Perfection Joint Cover (for protection of Horizontal Stone Joints) under the provisions of C26-191.0.

This joint cover is constructed in the form of a T with the ends of top bent down and is designed to be pushed into the horizontal mortar spaces between the brick, stone or tile coping belt, multiple sills or any projecting stone course, the design being to permit expansion and contraction of the coping joint under temperature changes without breaking the mortar seal and to obviate the necessity of pointing up the joints. The joint cover is made of 12 oz. lead coated copper; the leg of the T is double, in the form of a V, so as to allow for expansion of the joint and contains punched projections to bond the cover to the mortar of the joint.

Recommendations.

The material has been examined by the Committee on Tests. On the basis of the foregoing data the Committee recommends that the Dusing and Hunt, Inc. Perfection Joint Cover be approved under C26-191.0 for use in installations in New York City provided each package containing the material shall be marked labelled

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or tagged "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1002-39-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

nd
WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Perfection Joint Cover (for protection of horizontal stone joints), on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

30-41-SM.

APPLICANT—Croton Chemical Corporation, owner.

SUBJECT—Croton Flameproofing Compound (CFC), approval of.

APPEARANCES—

For Applicant: A. J. Wheaton, Jr.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (330-41-SM)

WHEREAS, the Croton Chemical Corporation, owner, filed on April 17, 1941, an application with the Board of Standards and Appeals for approval of the material known as the Croton Flameproofing Compound (CFC); and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 30, 1942.

Re: Cal. No. 330-41-SM.

Subject: Approval of Croton Flameproofing Compound (CFC).

The Croton Chemical Corporation, Brooklyn, N. Y., filed on April 17, 1941, with the Board of Standards and Appeals an application under the requirements of Section C26-178.0 of the Administrative Code for approval of its material known as Croton Flameproofing Compound (CFC) under the Board's "Rules for Testing of Fire-Resistive, Flameproof Materials, etc." for use in New York City under the pertinent provisions of the Administrative Code.

Croton Flameproofing Compound (CFC) is a mixture of Ammonium Sulphate (92%), Boric Acid (6½%) and Nekal, a wetting agent (1½%), which mixture when dissolved in water and applied to decorations, drapes, etc. is intended to render them flameproof. Fabrics submitted for test purposes were treated at the New York Testing Laboratories on October 13, 1942, in the presence of Engineer J. F. Fitzsimons (representing the Board) by immersion in a solution prepared by dissolving three pounds of the compound in two gallons of water at 110 degrees Fahrenheit, Baume reading, 10 degrees. The fabrics were then wrung out by hand and hung up to dry at room temperatures. The fabrics were then tested in accordance with the Board's "Rules for Testing of Fire-Resistive, Flameproof Materials, etc." and the results are as follows:

Analysis Fabric	Application of Flame	Afterflame (seconds)	Afterglow (seconds)
Rayon treated			
A.....	12 Seconds	0	0
B.....	12 Seconds	0	0
C.....	12 Seconds	0	0
Untreated—Sample entirely consumed in 26 seconds.			
Cotton Denim treated			
A.....	12 Seconds	0	8
B.....	12 Seconds	0	7
C.....	12 Seconds	0	7
Untreated—Sample entirely consumed in 60 seconds.			
Cotton Duck 8 oz. treated			
A.....	12 Seconds	0	7
B.....	12 Seconds	0	10
C.....	12 Seconds	0	26
Untreated—Sample entirely consumed in 35 seconds.			
Cotton & Rayon Damask treated			
A.....	12 Seconds	0	12
B.....	12 Seconds	0	13
C.....	12 Seconds	0	27
Untreated—Sample entirely consumed in 32 seconds.			
Velour treated			
A.....	12 Seconds	0	44*
B.....	12 Seconds	0	48*
C.....	12 Seconds	0	42*
Untreated—Sample entirely consumed in 60 seconds.			

*Permissible afterglowing — 20 seconds average, therefore not meeting requirements of Rule 4.3.

An analysis of the Compound made by the Central Testing Laboratory of the Department of Purchase shows the following composition (Report Dated October 27, 1942): Ammonium Sulphate—90%, Boric Acid—6%, Nekal—2%, and moisture—2%.

Recommendations.

On the basis of the foregoing data the Committee on Tests recommends the approval of Croton Flameproofing Compound (CFC) for use on fabrics shown herein to be susceptible of being satisfactorily flameproofed by a proper application of the compound. Tests for each specific installation of originally treated combustible material, or any retests thereof, shall be made by the Fire Commissioner, or in a laboratory approved by him in accordance with the Rules of the Board hereinbefore referred to.

The Committee further recommends that each container in which this material is marketed shall be labelled or marked "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 330-41-SM." The label shall also include specifications to be followed in the application of Croton Flameproofing Compound (CFC) to the various types of fabrics so as to insure their being flameproofed in accordance with the requirements of the Rules for "Tests of Fire-resistive, Flameproof Materials, such as Textiles, Paper, Similar Material and Adhesives used for Decorative Purposes and Treated Acoustical Draperies, Carpets and Similar Materials, for use in places of Public Assembly and Special Occupancy Structures," adopted by the Board under Cal. No. 294-40-SR.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as the Croton Flameproofing Compound (CFC), and on condition that the material be manufactured, used and labelled, stamped or tagged in accordance with above report.

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414-42-SA.

APPLICANT—J. A. Flynn, for Robins Dry Dock and Repair Company, owner.

SUBJECT—Robins Steam or Air Atomizing Burner (for owner's use only), approval of.

APPEARANCES—

For Applicant: J. A. Flynn.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (414-42-SA)

WHEREAS, J. A. Flynn, for Robins Dry Dock and Repair Company, owner, filed on May 21, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the Robins Steam or Air Atomizing Burner (for owner's use only); and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 30, 1942.

Re: Cal. No. 414-42-SA.

Subject: Robins Steam or Air Atomizing Burner (For Owner's Use Only), Approval of.

The Robins Dry Dock and Repair Company filed on May 21, 1942, an application with the Board of Standards and Appeals for approval of the Robins Steam or Air Atomizing Oil Burner (for owner's use only) under the provisions of C19-57, Administrative Building Code.

The burner consists of a special shaped mixing chamber with two connections, one for oil and one for air or steam. The oil enters the burner through a needle valve which controls its rate of flow. From the valve it enters a $\frac{3}{8}$ " tube connecting with the mixing chamber. The air or steam enters the mixing chamber through a $\frac{1}{2}$ " pipe at an angle of $12\frac{1}{2}$ degrees to the oil delivery pipe, injecting the oil and air or steam into the special shaped mixing chamber. The intermixture of the oil with the air or steam breaks the oil up into minute particles which are delivered through a slot on the outlet of the mixing chamber. The burner, when installed, is used with an interlocking valve to control the air or steam and oil and designed to shut off oil in case of failure of atomizing steam or air.

The burner is designed for manual operation only and is used in metal melting, heat treating, forging and other industrial operations at the manufacturer's own plant. The air is delivered at a pressure from 8 to 32 ounces per sq. in. and the oil from 10 to 50 lbs. per sq. in. A Worthington or other approved type positive pressure pump is used for the oil and the air with either positive pressure blower or owner's yard Oxygen piping system. The oil used is #2 to #5—U. S. Department of Commerce standards cold or #6 preheated. Ignition is obtained by hand lighting.

The burner was inspected and tested at the plant of the applicant by the Committee on Test and the representative of the Division of Combustibles of the Fire Department. It was used for metal smelting; the burner operated without flarebacks and was satisfactory for industrial furnaces.

Recommendations.

On the basis of inspection and test, it is recommended that the Robins' Steam or Air Atomizing Burner be approved for owner's use (not for sale to others), with metal melting furnaces and similar apparatus with fuel oil not heavier than #5 cold, U. S. Department of

Commerce standards and #6 preheated, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, other than the requirements of Rule 12.1 as to chimneys, but that proper hoods or other equivalent means of carrying off fumes shall be provided and because of the system being manually operated, the operator is required to have a certificate of fitness under Rule 15.2 of the Oil Burner Rules, provided that the burner bear a label permanently affixed reading "Approved by the Board of Standards and Appeals under Cal. No. 414-42-SA for use in New York City."

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Robins Steam or Air Atomizing Burner (for owner's use only), on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

555-42-SA.

APPLICANT—Mills Novelty Company, owner.

SUBJECT—Mills Coin Controlled Bottle Vendor, Models 45, 47, 47A, 47B, 47N, 66, 96, 98 and 98A, approval of.

APPEARANCES—

For Applicant: Everett J. Newcomb.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (555-42-SA)

WHEREAS, Mills Novelty Company, owner, filed on July 13, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the Mills Coin Controlled Bottle Vendor, Models 45, 47, 47A, 47B, 47N, 66, 96, 98 and 98A; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 25, 1942.

Re: Cal. No. 555-42-SA.

Subject: Mills Coin Controlled Bottle Vendor, Models Nos. 47, 66, 96, 98, 47A, 47B, 47N, 98A and 45 Approval of.

The Mills Novelty Company of Chicago, Illinois, filed July 13, 1942, an application with the Board of Standards and Appeals for approval of the Mills Coin Controlled Bottle Vendor, models as noted above, under the provisions of C22-96F, of the Administrative Code.

Description.

These machines are designed for the purpose of lowering the temperature and the automatic dispensing of any bottle beverage including milk, on the insertion of a coin or coins. The operation cycle as described herein applies to all models named above, various model numbers listed indicating only the year of manufacture.

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and/or the capacity of the machines in storage or vending capacity.

Model #	Capacity in bottles	Type of Compressor	Quantity of Refrigerant	H.P.	Volt	Motor Characteristics	R.P.M. Speed
45	26	Open Reciprocating 2 Cyl. Compressor	1½ F12* or CH ₃ CL**	1/5	110	DC or AC Wagner	1725
47-66-96 98-98A	104	"	4 F12* or CH ₃ CL**	1/3	110	DC & AC Wagner	1725
47N	104	"	4 F12	1/4	110	AC & DC Wagner	1725
47A 47B	60	"	1½ F12 or CH ₃ CL	1/5	110	DC & AC Wagner	1725

* Dichlorodifluoromethane (Freon-F12)

** Methyl Chloride

All machines listed above have been passed and carry the approval of the Underwriters Laboratories; the Department of Water Supply, Gas and Electricity, City of New York; Bureau of Standards, Commonwealth of Massachusetts; and Hydro-electric Power Commission of Canada.

The operation of the vending mechanism is as follows: Upon the insertion of a coin or coins in the coin detector mechanism located in the center of the front or customers side of the cabinet, the coin passes through a detector mechanism and if passed as a good United States coin strikes a coin trip pawl which in turn, through a mechanical lever arrangement, causes a pair of contacts to be momentarily closed, the coin then falling into the cash box. At the instant the coin contacts close, three simultaneous actions take place inside of the main relay enclosure. (This main relay consists of a coil operating on 110 volts, A.C. or D.C., a moveable armature arm to which is attached an insulated plate through which the moveable blades of the contacts are extended. Three sets of contact points are located on this relay, one controlling the conveyor motor, second controlling the blocking finger circuit on the coin entrance mechanism, and the third the relay holding circuit. This entire relay is enclosed in an air and moisture proof case). By reason of the momentary closing of the coin contacts, the relay coil is energized and the armature arm is drawn towards the pole causing the holding contacts to be closed holding the relay energized as these contacts are in parallel with the original energizing contacts. At the same time a pair of contacts are opened which de-energize the blocking finger magnet on the coin mechanism which throws this finger into the coin chute preventing the insertion of any additional coins before the vending operation is completed, and at the same time the third pair of contacts is closed energizing the conveyor motor circuit. The conveyor motor through a system of gears, sprockets and chains, causes the cradles on which the beverages ride to be moved into position where a pair of unloading fingers pick the bottle from the cradle, the bottle rolling down the finger, through gravity, where it strikes an unlocking bar causing the bottle slide lock to be released and the bottle slides down an inclined chute, through gravity, to the customer. At the same time, a mercury switch was tilted breaking the circuit to the main relay coil and the spring on the moveable armature arm of the relay pulls the arm away from the pole opening the holding circuit contacts which were holding the main relay coil energized and at the same time opening the conveyor motor operating contacts causing it to stop and further at the same time a third pair of contacts were closed energizing the blocking finger magnet coil which in turn removed from the coin chute the blocking finger. The machine now having completely vended the product is ready to accept another coin. This is the complete operating cycle of the vending mechanism.

Should the machine become empty at any time a main line mercury switch is provided which will break the

main circuit to the conveyor and the machine will refuse any coins inserted during this period. The main line mercury switch as well as the main operating mercury switch is of the sealed mercury tube type. The conveyor motor has its own thermal protection, totally enclosed, in case of an overload being present through over-voltage, under-voltage or any other cause.

The foregoing applies to all models of coolers listed excepting model 45 which uses gravity feed throughout in the vending operation, feeding through two cylinder type drums with their receiving cavities 180° out of phase, and is so designed that one bottle is being vended while another bottle is being received by the opposite drum from the vertical type machine. The cycle of operating, otherwise, is exactly the same as given above for all other models.

Refrigeration systems in all models is of the open type, consisting of a reciprocating two cylinder compressor driven by an electric motor, belt connected; horse-power ratings varying from 1/5 H.P. to 1/3 H.P. depending upon the capacity of the machine. Refrigerants used are methyl-chloride CH₃CL, and Freon F-12. Total pounds of refrigerant vary with individual models 1½ pounds to a maximum of four pounds. Each condensing unit carries a data plate showing the kind of refrigerant and the number of pounds together with Underwriters and Hydro-electric Power Commission approval plate. The receiver and condenser, or the high side of the system, will accommodate all of the refrigerant in the system at 105° F. ambient temperature with a minimum of 25% additional volume available for expansion. All receivers are equipped with fusible safety plug with a melting temperature of 165° F. The refrigeration low side consists of one or more bare copperpipe coils placed inside of the refrigerated area in such a way as to allow the blower or fan to force air over this coil and over the product for rapid heat transfer. Both thermostatic and automatic expansion valves are used depending upon the model of the cooler and thermostatic controls are provided which operate the blower or fan inside of the refrigerated area. On some models, notably 47A, 47N and 47B, a separate pressure control operates the condensing unit. Condensing unit motors are all thermally protected by either the totally enclosed internal or totally enclosed external thermal, and these thermals are of either re-set or the automatic re-set type.

The models differ as to capacity of cabinet (in addition to the feed and controls as stated above) as follows:

Model #	Reserve Capacity
47	33
66	33
47N	33
47A	48
47B	48
96	108
98	108
98A	108
45	26

Models 47 and 66 are identical and have blower driven by pulley and belt from compressor flywheel.

Models 47N 1940—42 model, has separate fan for air circulation driven by locked-rotor type motor thermostat controlled.

Model 47A is same as 47B except year.

Models 96 and 98 are identical with Models 47 and 66 except reserve capacity.

Model 98A identical with 47N except reserve capacity.

Model 45 has gravity feed.

The electrical connections in these appliances have been approved by the Department of Water Supply, Gas and Electricity, of New York City.

The appliance has been approved by the Underwriters Laboratories, Guide No. 361 EO, File SA716A.

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Recommendations.

The unit was inspected and tested by the Committee on Tests of the Board and the representative of the Division of Combustibles of the Fire Department. As a result of this inspection and Underwriters tests, it is recommended that Mills Coin Controlled Bottle Vendor, Models 47, 66, 96, 98, 47A, 47B, 47N, 98A, and 45 be approved for use in New York City under C19-96 F, Administrative Code, provided that the device has a label permanently affixed in a conspicuous and easily accessible location reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 555-42-SA, and for use under the permissive provisions of the Rules as adopted by the Fire Commissioner dated June 23, 1941 Circular No. 3."

It is further recommended that each unit be serviced at least once a year and that a record card of inspections be affixed to each unit showing such dates of inspection and the names of the inspector.

(Sgd) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Mills Coin Controlled Bottle Vendor, Models 45, 47, 47A, 47B, 47N, 66, 96, 98 and 98A, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

1069-40-SM.

APPLICANT—Julius H. Zeiser, for Neva-Burn Products Corporation, present owner (Herzberg's Fine Art Dyeing, Incorporated, previous owner).

SUBJECT—Application for consideration—reopening and amendment of resolution as to owner—re Neva-Burn Flameproofing Compound for Textiles, previously approved.

APPEARANCES—

For Applicant: Daniel Herzberg.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (1069-40-SM)

WHEREAS, Herzberg's Fine Art Dyeing, Inc., owner, filed November 17, 1940, an application with the Board of Standards and Appeals for approval of the material known as Neva-burn Flameproofing Compound for Textiles; and

WHEREAS, this material was approved by the Board on January 14, 1941, on certain conditions and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on January 14, 1941, by adding thereto:

"Whereas, the Board has been notified 'Herzberg's Fine Art Dyeing, Inc.' has now transferred ownership of this compound to the 'Neva-Burn Products Corporation,' of which Mr. Herzberg is President, and that the stockholders of the new corporation are the same as of the previous owning corporation."

Adjourned: 3:30 P. M.

JOSEPH J. DOYLE, Chief Clerk.

SPECIAL MEETING

FRIDAY MORNING, DECEMBER 4, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum.

RULES.

835-38-SR.

SUBJECT—Proposed Amendments to Rules Relative to Submerged Inlets and Protective Methods to be applied to prevent Contamination of Water Supply.

APPEARANCES—

Michael Baderman, Dept. of Health; A. E. Abrahamson, Dept. of Health; H. B. Ferguson, Dept. of Housing & Bldg.; Eugene A. Drumm, Bureau of Water Register; James S. McCormack, Dept. of Water, Gas and Electricity and Ormond Burke, Dept. of Water, Gas and Electricity.

ACTION OF BOARD—Rules adopted, as amended (see pages 1219 and 1220 of this Bulletin).

THE VOTE TO REOPEN AND AMEND RULES—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum 3
Negative: 0
Absent: Deputy Chief Gunn 1

Adjourned: 11:20 A.M.

JOSEPH J. DOYLE, Chief Clerk.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN or the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939, EFFECTIVE, IN ACCORDANCE WITH SECTION 666, PARAGRAPH 2, OF THE NEW YORK CITY CHARTER, FEBRUARY 27, 1939, AS AMENDED DECEMBER 4, 1942, EFFECTIVE DECEMBER 28, 1942.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2 of the New York City Charter pertaining to Sections C26-1268.0,c,4, and C26-1277.0h, of the Administrative Building Code.

Rule 1. Vacuum Breakers.

All vacuum breakers prescribed under these rules shall be set at least four inches above the flood level rim of fixtures or as otherwise specifically provided for in these rules. Each fixture with submerged inlets shall be independently controlled by an approved vacuum breaker or breakers the full size of supply pipe, as set forth in these rules.

Rule 2. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the flood level rim of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture, or as otherwise provided for in these rules.

Water supply lines to water preheating apparatus utilizing waste water shall be equipped with an approved vacuum breaker located at least four feet above the highest elevation of the preheating apparatus or coil, with a check valve between the vacuum breaker and the preheating apparatus. Any hot water boiler supplied through such preheating device and having an independent cold water supply line shall have the cold water supply line equipped with a vacuum breaker and check valve located at least four inches above the highest elevation of the boiler.

Rule 3. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly or indirectly from the City Water Supply System, shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the flood level rim of the fixture.

Rule 4. Ballcocks.

All flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than three-quarter inch above the overflow outlet of the flush tank.

Ballcocks controlling water supply to suction, roof or other intermediate tanks shall be located at least one inch above the flood level rim of the tank excepting that in roof tanks equipped with an overflow of a size at least one commercial diameter larger than the water supply pipe, the ballcock may be located two inches above the highest elevation of the overflow pipe. The overflow and emptying pipes of roof, suction and intermediate tanks shall not be directly connected to a drainage system, notwithstanding the permissive provisions of Section C26-1273.0,d of the Administrative Building Code for connection to a leader.

Rule 5. Sterilizers.

Direct water supply connections to all sterilizers are prohibited, except such equipment as is approved

by the Board. When approved sterilizers are used, the waste piping from sterilizers shall not connect directly with any drainage system.

Rule 6. Aspirators—Water Siphons.

Direct water supply connections to aspirators, water siphons or similar apparatus is prohibited except when approved by the Board. The waste pipe for this type of apparatus shall not connect directly with any drainage system.

Rule 7. Bidets—Bed Pan Washers.

Direct water supply connection to a bidet is prohibited. Water supply connection to bed pan washers or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker. Water supply to bed pan washers equipped with an approved flush valve shall be governed by Rule 3.

Bed pan washers may be equipped with steam connections only when such equipment has been approved by the Board.

Rule 8. Sump or Well Pumps.

Direct water supply connections for priming purposes to sump, well or similar type pumps when permitted by the Department of Water Supply, Gas and Electricity shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation. Direct water connection is prohibited under Section C26-1223.0 Administrative Building Code.

Rule 10. Mortuary, Dissection, Operating and Embalming Tables or Equipment.

Mortuary, dissection, operating and embalming tables or equipment shall have no direct water supply connection. Hose used with such equipment shall terminate at least 12 inches at any point from the table or attachments.

RULES

Rule 11. Dishwashing and Laundry Machines.

Direct water supply to dishwashing and laundry machines shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the fixture. The vacuum breaker shall be located at least 4" above the highest elevation of the machine.

Rule 12. Chemical Solution Tanks or Apparatus.

Direct water supply connections, when permitted by the Department of Water Supply, Gas and Electricity, to any tank or apparatus containing any chemical shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the tank or apparatus.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals,
August 12, 1918.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;

Boiler making;

Brick, terra cotta or artificial stone works;

Forge shops;

Foundries;

Iron, steel, brass or copper works;

Machine shops;

Smelting;

Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

THE BUILDING LAWS

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THE VARIOUS BUILDING LAWS OF THE CITY OF NEW YORK ARE NOW published in FOUR SEPARATE VOLUMES, consisting of matters affecting or relating to the construction, maintenance, alteration, demolition or removal of structures and buildings in the City of New York; including excerpts from the STATE LABOR LAW, the PLUMBING CODE, ELEVATOR RULES, THE NEW YORK CITY CHARTER, the complete BUILDING CODE OF THE CITY OF NEW YORK; the MULTIPLE DWELLING LAW, the STATE PLASTERING LAW, various local laws, and building and construction rules and regulations adopted by various City and State agencies.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 50

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

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All hearings are held in Room 1013, Municipal Building,
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HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the en-
gineers, pertaining to the work of the Board, will be seen
only between the hours of ten in the morning and one in
the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection
with which court proceedings are pending or in progress,
unless exception is granted by the chairman, nor accepted
which is not filed within thirty days from the date of the
action of the Administrative Official.

Any communication purporting to be an appeal or appli-
cation shall be regarded as a mere notice of intention to
seek relief until it is filed on the form required by the rules
of this board.

Upon receipt of any such communication the writer will
be supplied with the official forms for presenting his appeal
or application.

At the time of filing an appeal or application, the appel-
lant or applicant shall forward a signed notice of appeal
addressed to the administrative official (either commissioner
of buildings or fire commissioner) and file with this board
a duplicate of said notice.

Appellants and applicants are advised that their plans
must indicate the points of the compass so as to establish
the true location and position of the property, the subject
of the appeal or application.

Appeals and applications will be simplified and disposition
of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

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852-42-A—F.D.—47-10 94th street, west side, 100 ft. north of Corona avenue (Block No. 1600, Lot No. 4), Elmhurst, Borough of Queens, 92395-L. C. and Decision.

853-42-A—F.D.—Transportation, sale and packaging of combustible mixtures known as L and R Powder Nofoe Cleaning Solution, L and R Waterless Nofoe Cleaning

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Fuel Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47A
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Vacuum Breakers	Nov. 10, 1942—Vol. 27, No. 45

DECEMBER 15, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, December 15, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

1261-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, reopened May 26, 1942, under section 7c of the zoning resolution, to permit partly in a business use and partly in a residence use district, the parking and storage of more than five (5) motor vehicles upon a plot occupied as a gasoline service station (previously withdrawn); premises 2701-2711 Fort Hamilton parkway and 1358-1368 Prospect avenue, northwest corner (Block No. 5284, Lot No. 64), Borough of Brooklyn.

578-42-BZ—Application, July 15, 1942, under sections 7h and 21 of the zoning resolution, of Arnold W. Lederer, applicant, on behalf of Buoniello Holding Company, Incorporated, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and, also, the continuance of the use of part of the plot for the display and sale of used cars; premises 6802-6810 Fort Hamilton parkway, southwest corner of 68th street (Block No. 5771, Lot No. 6), Borough of Brooklyn.

772-42-BZ—Application, November 4, 1942, under section 7c of the zoning resolution, of Maurice G. Uslan, applicant, on behalf of Durkee Marine Products Corporation, owner, to permit upon a plot located partly in a manufacturing use and partly in an unrestricted use district, the maintenance of an extension to a building used as a foundry; premises 2053 Clove road, southeast corner of Mosel avenue (Block No. 2921, Lot Nos. 18 and 23), Grasmere, Borough of Richmond.

577-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant, on behalf of Crew Levick Corporation, owner (Joseph E. Johnston, lessee), to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

987-41-BZ—Application, November 14, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station; premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

Appeal from Administrative Decision.

792-42-A—796-804 Utica avenue and 736-746 Linden boulevard, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn, Misc. 8575-41.

HARRIS H. MURDOCK, *Chairman*.

DECEMBER 15, 1942, 2 P. M.

Appeal from Administrative Decisions.

691-42-S—524-540 West 52nd street, south side, 325 ft. southwest of Tenth avenue (4th floor); (Block No. 1080, Lot No. 45), Borough of Manhattan.

605-42-A—335-341 West 16th street, north side, 300 ft. east of Ninth avenue (Block No. 740, Lot No. 13), Borough of Manhattan.

718-42-A—149-25 Rockaway Beach boulevard, south side, 100 ft. west of Beach 149th street (Block No. 810, Lot No. 1), Rockaway Beach, Borough of Queens (Neponsit Beach Hospital).

703-42-A—565-567 West 185th street, north side, 100 ft. east of St. Nicholas avenue (Block No. 2157, Lot Nos. 65 and 66), Borough of Manhattan.

700-42-A—591 Broadway, west side, 200 ft. south of Houston street (6th floor); (Block No. 512, Lot No. 16), Borough of Manhattan.

632-42-A—148 39th street, southwest corner of Second avenue (Bush Building No. 19); (4th floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

Appliance and Material for Approval.

443-41-SA—Mogul Metal Spray Gun.

681-42-SM—Bird Insulated Siding. Bric Design.

DECEMBER 22, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, December 22, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

903-25-BZ—Application of Lama and Proskauer, applicants on behalf of Rose Rolland, owner, reopened November 5, 1941, under section 7f of the zoning resolution, to permit in a business use district, for a term of ten (10) years, the use of a two (2) story and basement building, as a garage for more than five (5) motor vehicles; the Board having previously granted a one (1) story garage for more than five (5) motor vehicles on the premises in question; premises 823-829 Classon avenue, east side, 47 ft. north of Lin-

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coln place (Block No. 1178, Lot No. 3), Borough of Brooklyn.

750-42-BZ—Application, October 22, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Sarah Shapiro, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 876 St. Nicholas avenue, east side, 114 ft. 10 in. north of West 153rd street (Block No. 2069, Lot No. 46), Borough of Manhattan.

177-33-BZ—Application of Lama and Proskauer, applicants, on behalf of Joseph Gross, owner, reopened July 28, 1942, under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, motor vehicle repair shop, auto laundry, lubricatorium and office (previously denied re gasoline service station re Lot No. 42); premises 1510-1522 Rockaway parkway and 9616-9626 Flatlands avenue, southwest corner (Block No. 8204, Lot Nos. 42 and 44), Borough of Brooklyn.

669-42-BZ—Application, September 11, 1942, under sections 7f and 21 of the zoning resolution, of Wing Holding Corporation, applicant and owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 40-11 Skillman avenue, north side, 545.51 ft. west of 43rd street (Block No. 183, Lot No. 290), Long Island City, Borough of Queens.

805-42-BZ—Application, November 18, 1942, under section 7c of the zoning resolution, of A. H. Salkowitz, applicant, on behalf of Terminal Garage, Incorporated, owner, to permit partly in an unrestricted use district and partly in a business use district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles (buses) and also, as a motor vehicle repair shop; premises 54-47 74th street, northeast corner of 57th avenue (Block No. 2805, Lot Nos. 10, 142 and 151), Maspeth, Borough of Queens.

Appeal from Administrative Decision.

840-42-A—54-47 74th street, northeast corner of 57th avenue (Block No. 2805, Lot Nos. 10, 142 and 151), Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 22, 1942, 2 P. M.

Appeals from Administrative Decisions.

645-42-A—212-214 Water street, west side, 87 ft. 4 in. south of Beekman street (Block No. 95, Lot No. 3), Borough of Manhattan.

627-42-A—216 Linwood street, west side, 100 ft. south of Arlington avenue (Block No. 3941, Lot No. 14), Borough of Brooklyn.

618-42-A—38-12 27th street, north side, 85 ft. west of 38th avenue (Block No. 387, Lot Nos. 23 and 24), Long Island City, Borough of Queens.

738-42-A—1265-1269 39th street, north side, 120 ft. west of 13th avenue (Block No. 5294, Lot No. 46), Borough of Brooklyn.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

796-42-A—101 Greene street, west side, 244 ft. 10 in. north of Spring street (Block No. 500, Lot No. 28), Borough of Manhattan.

722-42-A—2515 Grand Concourse, west side, 106.34 ft. north of East Fordham road (Block No. 3167, Lot No. 76), Borough of The Bronx.

670-42-A—2797 Third avenue, west side, 200 ft. south of East 148th street (Block No. 2327, Lot No. 28), Borough of The Bronx.

Materials for Approval.

488-42-SM—Verplanck Limestone New York Trap Rock Corporation.

94-39-SM—Drilled-in Caissons as installed by the Drilled-in Caisson Corporation.

JANUARY 5, 1943, 2 P. M.

Appeal from Administrative Decision.

804-42-A—41-06 DeLong street, west side, 6 ft. east of Port Washington Division of Long Island Railroad (Block No. 5066, Lot No. 255), Flushing, Borough of Queens (under section 35, General City Law—re bed of mapped street—41st avenue).

JANUARY 12, 1943, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, January 12, 1943, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

539-42-BZ—Application of Edwin H. Thatcher, applicant, on behalf of Polytechnic Institute of Brooklyn, owner, reopened and restored to calendar, December 8, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn re Lot Nos. 11 and 22); premises 275-299 Fifth street, north side, 97 ft. 10½ in. east of Fourth avenue (Block No. 984, part of Lot No. 11), Borough of Brooklyn.

87-42-BZ—Application of AAA Properties, Incorporated, applicant and owner, reopened December 8, 1942 by order of the court—re Application, previously denied by the Board, under section 7h of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3856-3872 Ninth avenue, west side, between West 206th and West 207th streets (Block No. 2203, Lot No. 21), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, DECEMBER 8, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, December 1, 1942, and Tuesday afternoon, December 1, 1942, and the minutes of the special meeting of the Board held on Friday morning December 4, 1942, were approved as printed in Bulletin No. 49, Vol. 27.

ZONING CASE.

363-42-BZ.

APPLICANT—Henry Nordheim, for Estate of Jennie Adece, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a residence use district for a term of two (2) years, the parking and storage of more than three (3) motor vehicles.

PREMISES AFFECTED—650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx.

APPEARANCES—

For Applicant: George Fargis, Henry Nordheim and Clifford Adece.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (363-42-BZ)

WHEREAS, Henry Nordheim, for Estate of Jennie Adece owner, filed May 5, 1942, an application under section 7h of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than three (3) motor vehicles; premises 650 Thwaites place, south side, from Olinville avenue to Barker avenue, 2224 Barker avenue, and 2211 Olinville avenue (Block No. 4338, Lot Nos. 12, 20, 22, 24, 27, 29, 31 and 33), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 8, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Barker avenue is in a residence use district; Olinville avenue and Thwaites place are each in a residence and business use district; and

WHEREAS, decision of the borough superintendent, dated April 6, 1942, reads:

"Please be advised that your application for a certificate of occupancy for the parking and storage of more than three (3) motor vehicles at the above premises, is denied, as the premises are located in a residence district, where such use is prohibited by Sec. 3, Art. 2 of the zoning resolution of the city of New York."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 105 ft. on Olinville avenue, 189 ft. on Thwaites place and 197 ft. on Barker avenue; that upon the plot there are located a two story frame dwelling; two 2 car garages;

one 4 car frame garage and two (5) car metal garages and that it is proposed to use the vacant part of the plot, for a term of two years, for the parking and storing of more than three (3) motor vehicles; and

WHEREAS, the premises and the surrounding area were inspected by a Committee of the Board; and

WHEREAS, several garage buildings exist which are subject to certificates of occupancy, some of which garages may have existed prior to 1916 but which are in excess of the number permitted in a residence use district as accessory to the dwelling; and

WHEREAS, the owner of Lot 29, included in this application, appears to be Charles B. Galvin, who has filed an authorization for the proposed use; and

WHEREAS, the applicant amended his application to include section 7h and the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution and that the application be and it hereby is granted under section 7h for a term of two (2) years from the date of this resolution, to permit the premises to be occupied for the parking or storage of motor vehicles, on condition that the premises where not occupied by existing buildings, shall be leveled substantially to the grade of surrounding streets and shall be surfaced with clean gravel, steam cinders or other suitable material, properly rolled and graded so as to provide surface drainage away from adjoining occupancies; that adequate fences shall be maintained on all street fronts; that the entrance shall be restricted to the existing entrance from Barker avenue; that during the term of this variation, the premises shall be occupied for no other use than the use herein permitted, and the occupancies of the existing garages, now subject to certificates of occupancy, and the occupancy of the dwelling; that there shall be no sale of used cars nor motor vehicle repairing carried on; that no signs shall be erected on the premises advertising the parking or storage use, except there may be a sign attached to the fence near the entrance at Barker avenue, advertising such use and the rates charged, provided such sign does not exceed 15 sq. ft. in area and does not extend beyond the building line and is not illuminated; that only motor vehicles of the pleasure car type and those in condition for operation shall be so stored or parked; that such portable fire fighting appliances shall be maintained as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three (3) months from the date of this action.

APPEALS FROM ADMINISTRATIVE DECISIONS.

605-42-A.

APPLICANT—Shomer-Majestic Box Corporation, lessee, for 335 West 16th Street Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—335-341 West 16th street, north side, 300 ft. east of Ninth avenue (Block No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: B. Snyder.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Laid over to December 15, 1942 at 2 P. M. on request of applicant's representative.

618-42-A.

APPLICANT—Frank C. Keller, for Bernie Harberg, owner.

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SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—38-12 27th street, north side, 85 ft. west of 38th avenue (Block No. 387, Lot Nos. 23 and 24), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M., for further consideration by the Board.

627-42-A.

APPLICANT—Harry Yarish, for Rita Caruso, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—216 Linwood street, west side, 100 ft. south of Arlington avenue (Block No. 3941, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Yarish.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M. for further consideration by the Board.

645-42-A.

APPLICANT—Samuel Rosenblum, for Esther Burros, owner.

SUBJECT—Appeal from orders of the fire commissioner.

PREMISES AFFECTED—212-214 Water street, west side, 87 ft. 4 in. south of Beekman street (Block No. 95, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum, Elias Burros and Irving Burros.

For Administration: Insp. Maher and Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M., for further consideration by the Board.

691-42-S.

APPLICANT—Hardman, Peck and Company, owner (Duramold Aircraft Corporation, subsidiary of Fairchild Engine and Aircraft Corporation, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—524-540 West 52nd street, south side, 325 ft. southwest of Tenth avenue (4th floor); (Block No. 1080, Lot Nos. 45), Borough of Manhattan.

APPEARANCES—

For Applicant: Harold F. Hagemeyer.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Laid over to December 15, 1942 at 2 P. M., for further consideration by the Board.

629-42-A.

APPLICANT—Andre Mora, for Victor Moore Terminal, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—74-11 to 74-21 Broadway, north side, 116.7 ft. east of Roosevelt avenue, 74-12 to 74-20 Roosevelt avenue and 74-12 to 74-20 75th avenue (Block No. 1485, Lot No. 23), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Andre Mora and Mr. Merritt.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn

Negative:

115-42-S.

APPLICANT—American Store Equipment and Construction Corporation, for 1412 Broadway, Incorporated owner (Governor Cafeteria, Incorporated, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—1412-1416 Broadway, northeast corner of West 39th street (Block No. 815, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Jack E. Stern and Irving Semel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn

Negative:

THE RESOLUTION (115-42-S)

WHEREAS, American Store Equipment and Construction Corp., for 1412 Broadway, Inc., owner (Governor Cafeteria, Inc.), filed February 9, 1942, an application for variation of the Labor Law as cited in a decision of the borough superintendent, premises 1412-1416 Broadway northeast corner of West 39th street (Block No. 815, Lot No. 14) Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated February 9, 1942, on Amendment to Alt. Application No. 3140-40, reads:

"1. Enclosure of cellar stairway should be maintained as per sec. 270 Labor Law."

and
WHEREAS, the applicant states the building is 26 stories (300 ft.) in height, 76 ft. by 160 ft. in area; of Class construction; located in a Retail 1 use district; erected 1925 and occupied: Cellar, storage and cafeteria kitchen 12 persons; 1st floor, stores and cafeteria, 400 persons; 2nd to 26th floors, inclusive, offices and 25% manufacturing 100 persons per floor, for which C. O. No. 17310 was issued February 13, 1931; and

WHEREAS, Violation No. 1095-41 was issued July 31, 1941 for failing to enclose the stair from 1st floor to cellar on the north side of store with 6 in. terra cotta blocks and fireproof self-closing door as shown on approved A 3140-40, contrary to Section C26-1780 of the Administrative Code and applicant was convicted and fined in the Magistrate's Court December 17, 1941 on charge of violating section 643a-9.0 of the Administrative Code; and

WHEREAS, the applicant contends that the lessee occupies a restaurant at the first floor with a dish washing pantry located on first floor and the kitchen in the cellar that the stairway in question connects the dish washing pantry and the kitchen and is 3 ft. wide constructed iron with cement treads; that the cellar occupancy consists of 12 persons; that exits from cellar consist of two 3 ft. 8 in. wide stairs enclosed in terra cotta blocks and 1-hour fireproof doors leading directly to street; that the 3 ft. wide open stair in question, is not a required exit and serves only as a communication between the dish washing pantry on the first floor and the kitchen in the cellar that enclosing this stairway would effect a hardship, it would necessitate a separate restaurant manager in the cellar and in addition trays of food are constantly being carried up from the kitchen to the restaurant and it would be difficult for a person carrying the trays to swing open the door; that the previous occupant of this store operated

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dress shop with selling on the first floor and in the cellar; that these two stories were connected with a 5 ft. wide open stair, that this stair was removed and well opening sealed when the restaurant occupancy began, so that in effect, the occupant shifted the existing open stair to a new location and reduced the occupancy in the cellar; from 100 to 12 persons; that the open stair in question will be removed and the well opening sealed with concrete at the termination of the lease.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of section 270 of the Labor Law as cited in a decision of the borough superintendent on Alt. Application No. 3140-40, Objection No. 1, and that the application be and it hereby is *granted on condition* that the law shall be complied with as to the cellar level; that the existing dish-washing room at the first floor level may be accepted as a part of the stairway enclosure on that floor, provided such room is occupied for dish washing purposes only and is enclosed with approved partitions; that doors leading therefrom shall be either metal covered or constructed of fireproof wood and made self-closing; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. No. 877-25-BZ, and 878-25-S, and *on condition* that the stairway involved under Cal. No. 115-42-S, which has now been removed, shall not be restored.

599-42-A.

APPLICANT—Frank Rice, for Ann Rice, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—219-08 40th avenue, south side, 60 ft. east of 219th street (Block No. 6313, Lot No. 4), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative:

THE RESOLUTION (599-42-A)

WHEREAS, Frank Rice, for Ann Rice, owner, filed July 28, 1942, an appeal from an order and decision of the fire commissioner, premises 219-08 40th avenue, south side, 60 ft. east of 219th street (Block No. 6313, Lot No. 4), Bayside, Borough of Queens; and

WHEREAS, Order No. 92114-LC, issued by the Fire Commissioner June 18, 1942 and referred to in his decision of July 23, 1942, reads:

"YOU ARE HEREBY ORDERED AND REQUIRED, FORTHWITH, TO:

1. Surrender to the bearer Fire Department Permit #71538, issued March 26, 1942, authorizing the storage and use of 260 gallons of fuel oil at the above premises, as it is revoked for the reason that a violation of the Oil Burner Rules of Board of Standards and Appeals exists on premises.

2. Discontinue the storage of fuel oil in the 260 gallon fuel oil tank on the premises, as the Oil Burner Rules of the Board of Standards and Appeals provides that such fuel oil tanks shall be of 275 gallon capacity. Rule 6.1.1, Fuel Oil Rules."

and

WHEREAS, the applicant states the building is two stories (24 ft.) in height, 24 ft. by 48 ft. in area at street level and 24 ft. by 32 ft. in area at typical floor; erected in 1910; located in a residence use F area district, and occupied: Cellar, storage and boiler room; first floor, dwelling; second floor, dwelling; and

WHEREAS, the applicant contends that the capacity of the tank installed is 260 gallons, which is due to the fact that the tank manufacturer was unable to procure 64 in. sheets to make a 275 gallon tank, due to restrictions by the War Production Board and that the tank conforms to all specifications for a tank approved by the Board of Standards and Appeals, with the exception of capacity.

Resolved, that the order of the fire commissioner, Order No. 92114-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the tank shall comply with the requirements therefor, and the approval given to the Tragesor Copper Works, Inc., under Cal. No. 978-41-SM; that there shall be painted in conspicuous lettering, on the side of the tank, notice of the actual capacity; that a non-corrosive metal tag, stating the capacity of the tank, shall be wired to the fill line under the fill cap; that in all other respects, the oil burner installation shall comply with the Oil Burner Rules of the Board.

612-42-A.

APPLICANT—K. W. Battery Co., Inc., lessee, for New York Dock Co., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Foot of Montague street; bulkhead 200 ft. south of Montague street (Building No. 57); (Block No. 245, Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: Wilton Bentley.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (612-42-A)

WHEREAS, K. W. Battery Company, Inc., lessee, for New York Dock Company, owner filed on August 6, 1942, an appeal from an order of the fire commissioner affecting New York Dock Company Building No. 57, located at bulkhead 200 ft. south of Montague street (Block No. 245, Lot No. 15), Borough of Brooklyn; and

WHEREAS, Order No. 91604-LC, issued by the fire commissioner May 24, 1942, and referred to in a decision of the fire commissioner dated July 7, 1942, reads:

"2. Provide that spraying or dipping spaces shall be mechanically ventilated when in operation so that the movement of air shall be at least 100 linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mist or vapors. Rule 3.1, Spray Rules.

4. Provide that spray, dipping and immersing rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors. Rule 4.1.1, Spray Rules.

10. Provide sprinkler heads, installed in accordance with the sprinkler rules of Board of Standards and Appeals, in all spray, dipping or immersing spaces and storage rooms. Rule 6.3, Spray Rules."

and

WHEREAS, the applicant states that the building is 3 stories in height; 51 ft. by 102 ft. in area; of Class 6 construction; erected 1882, altered in 1927; located in an unrestricted use district and occupied since 1937 as follows: first floor, factory and storage, 2 persons; second floor, factory and office, 11 persons; third floor, factory, 13 persons; that Certificate of Occupancy No. 84312, issued October 5, 1937, permits the use of the building as follows: first floor, storage, no persons; second floor, office and light manufacturing, 9 persons; third floor, office and light manufacturing, 20 persons; and

WHEREAS, the applicant contends that the operation carried on in the room in question consists of dipping wooden

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trays in asphaltum paint and in a mixture of paraffin and hard wax as a protective against sulphuric acid; that this room was equipped in 1937 and approved by the fire department and annual permits issued since; that no change in the work done in this room has been made since the original installation; that no spraying is done; that the work will not average more than 1 hour per day; that the natural ventilation provided has been adequate; that there is a large skylight, which is open for ventilation at all times; that the wood floor is covered with sheet steel; that water and sand pails have been provided and it is proposed to provide a CO₂ extinguisher, if same can be obtained under the present priority system; that not more than 1 drum of paint and 1 drum of mineral spirits is stored, in addition to the 25 gallons of paint in the dipping tank; that the tank is protected by a steel cover with fusible link and that only one person occupies this room.

Resolved, that the order of the fire commissioner, Order No. 91604-LC, Objection No. 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the system shall be maintained, and protection as proposed furnished substantially as herein set forth and to the satisfaction of the fire commissioner; as to Objection No. 4, that the existing partition may be retained, provided an additional exit door is constructed, swinging outwardly from the room, in the south side as remote as possible from the existing sliding door exit; that the metal floor may be retained, provided same is maintained in good condition and to the satisfaction of the fire commissioner; as to Objection No. 10, that at least two sprinkler heads shall be installed within the room and such sprinkler heads may be connected from the domestic water supply system.

623-42-A.

APPLICANT—Nathan Petroleum Company, for Anthony Thomadakis, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—76-13 Woodside avenue, north side, 60.16 ft. west of 77th street (Block No. 1496, Lot No. 40), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: R. V. Perotto.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (623-42-A)

WHEREAS, Nathan Petroleum Company, for Anthony Thomadakis, owner, filed August 14, 1942, an appeal from an order of the fire commissioner, premises—76-13 Woodside avenue, north side, 60.16 ft. west of 77th street (Block No. 1496, Lot No. 40), Elmhurst, Borough of Queens; and

WHEREAS, Order No. 92537-LC, issued by the Fire Commissioner July 16, 1942, on App. #1676-42, reads:

"You are hereby notified that an inspection of the above premises; used to store and use fuel oil shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Discontinue the storage of fuel oil in the 260 gallon fuel oil tank on premises, as Oil Burner Rules of the Board of Standards and Appeals specify that fuel oil tanks shall be 275 gallons capacity. Rule 6.1.1, Fuel Oil Rules."

and

WHEREAS, the applicant states the building is 3 stories (35 ft.) in height, 20.06 ft. by 55 ft. in area; of Class 3 construction; erected in 1916; located in a Business use, B area district; occupied: Cellar, heating boiler and storage, no persons; 1st floor—store, 2 persons; 2nd floor,

dwelling, one family, 3rd floor, same, one family, for which Certificate of Occupancy No. 42 was issued October 27, 1926, upon completion of N. B. Applic. No. 1784-16; and

WHEREAS, the applicant contends that at the time of the installation of the Oil Burner in these premises, a 260 gallon tank was the only fuel oil storage tank available; that this tank was manufactured by the Tragessor Copper Works, Inc. and complies in all other respects with the Oil Burner Rules adopted by the Board; that the size of the tank is due to the shortage of essential materials and that the available already cut No. 10 gauge metal produced a 260 gallon capacity tank, which capacity is stamped on the tank by the manufacturer.

Resolved, that the order of the fire commissioner, Order No. 92537-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the tank shall comply with the requirements therefor, and the approval given to the Tragessor Copper Works, Inc., under Cal. No. 978-41-SM; that there shall be painted in conspicuous lettering on the side of the tank, notice of the actual capacity; that a non-corrosive metal tag, stating the capacity of the tank, shall be wired to the fill line under the fill cap; that in all other respects the oil burner installation shall comply with the Oil Burner Rules of the Board.

674-42-A.

APPLICANT—Nathan Petroleum Company, for Charles Capizzi, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—51-30 Manila street, west side, 289.90 ft. south of 51st avenue (Block No. 18), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: R. V. Perotto.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (674-42-A)

WHEREAS, Nathan Petroleum Company, for Charles Capizzi, owner, filed September 15, 1942, an appeal from an order of the fire commissioner, premises 51-30 Manila street, west side, 289.90 ft. south of 51st avenue (Block No. 2471, Lot No. 18), Elmhurst, Borough of Queens; and

WHEREAS, Order No. 92768-LC, issued by the fire commissioner August 17, 1942, on Applic. No. 1675-42, reads:

"You are hereby notified that an inspection of the above premises used to store and use fuel oil shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Discontinue the storage of fuel oil in the 260 gallon fuel oil tank on the premises, as the Oil Burner Rules of the Board of Standards and Appeals provides that fuel oil tanks shall be of 275 gallons capacity. Rule 6.1.1, Fuel Oil Rules."

and

WHEREAS, the applicant states that the building is two stories (25 ft.) in height; 20 ft. by 42 ft. in area; of Class 4 construction; located in a residence use district and occupied as a two family dwelling; and

WHEREAS, the applicant contends that at the time of the installation of the Oil Burner in these premises a 260 gallon tank was the only fuel oil storage tank available; that this tank was manufactured by the Tragessor Copper Works, Inc. and complies in all other respects with the Oil Burner Rules adopted by the Board; that the size of the tank is due to the shortage of essential materials and

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that the available already cut No. 10 gauge metal produced 260 gallon capacity tank which capacity is stamped on the tank by the manufacturer.

Resolved, that the order of the fire commissioner, Order No. 92768-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the tank shall comply with the requirements herefor, and the approval given to the Tragesor Copper Works, Inc. under Cal. No. 978-41-SM; that there shall be painted in conspicuous lettering, on the side of the tank, notice of the actual capacity; that a non-corrosive metal tag, stating the capacity of the tank, shall be wired to the fill line under the fill cap; that in all other respects the oil burner installation shall comply with the Oil Burner Rules of the Board.

75-42-S.

APPLICANT—Robinson Tag and Label Company (lessee), for Master Printers Building, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—460-478 West 34th street, 457 West 33rd street and the east side of Tenth avenue, from West 33rd to West 34th street (6th floor); (Block No. 731, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Erwin Rebafka and L. R. Price.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (675-42-S)

WHEREAS, Robinson Tag and Label Company (lessee), for Master Printers Building, Incorporated, owner, filed September 16, 1942, an application for variation of the requirements of the Labor Law as cited in a decision of the borough superintendent, affecting premises 460-478 West 34th street, 457 West 33rd street, 10th avenue, east side, between 33rd and 34th streets (6th floor); (Block No. 731, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated September 2, 1942, reads:

"This will reply to your letter of August 27, 1942, requesting approval of the installation of panic bolts on two fire doors located on the 6th floor of the above building, these bolts having been installed in accordance with instructions received from the War Department.

Please be advised that Section 272 of the State Labor Law requires that 'no door leading into or out of any factory or any floor thereof, shall be locked, bolted, or fastened during working hours.'

This department is without power to vary the requirements of this law and therefore your request for approval is denied."

and

WHEREAS, the applicant states the building is 18 stories and penthouse (265 ft.) in height; 150 ft. by 200 ft. in area; of Class 1 construction; erected in 1927 under N. B. App. No. 136-26; located in an unrestricted use district and occupied as follows: 2nd floor, printing, 200 persons; third and fourth floors, lithographer, 60 and 75 persons, respectively; fifth floor, stockroom, artist's materials, 75 persons; sixth floor, manufacturing tags and labels, 93 persons; seventh floor, manufacturing, war work, 130 persons; eighth floor, same, 93 persons; 9th and 10th floors combined, printing, 610 persons; 11th floor, factory, 170 persons; 12, 14th and 15th floors, combined, factory, 700 persons; 16th floor, engraving, 125 persons; 17th floor, stockroom of musical instruments, 75 persons; 18th and 19th floors, factory, 135 and 150 persons, respectively; penthouse, same, 144 persons; and

WHEREAS, the applicant contends that the building is equipped with a two source sprinkler system and three fire-proof stairs lead from roof to street; and

WHEREAS, Certificate of Occupancy No. 15466 of 1929 permits the use of the building as follows: basement, stores and storage, 45 persons; first floor, stores, 150 persons; mezzanine, offices, 80 persons; second to 18th floors, inclusive, factory, 150 persons; pent house, club, 150 persons; studio floor, music recording studio, 25 persons; and

WHEREAS, the applicant requests approval of the installation of two panic bolts on two fire doors on the floor occupied by the Robinson Tag and Label Company (6th floor); that these panic bolts were installed upon recommendation of the War Department, a copy of which recommendation is filed with this application.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law as cited in a decision of the borough superintendent dated September 2, 1942, and that the application be and it hereby is *granted on condition* that the panic bolts installed on the two doors, as indicated on plans filed with this application marked "Received November 19, 1942", shall be of an approved type and shall be continued only during the term of the present emergency; that all other exits shall be maintained in accordance with the requirements; that the occupancy of the building per floor shall not exceed the legally permitted occupancy based on the stairways with due allowance for the sprinkler system and for the fire alarm system, if installed; that a new Certificate of Occupancy should be obtained; that in all other respects, the building and occupancy shall comply with all other laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 315-27-S.

692-42-A.

APPLICANT—Mary Hamilton, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—32-23 42nd street, east side, 225 ft. south of Broadway (Block No. 690, Lot No. 29), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Mary Hamilton.
For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (692-42-A)

WHEREAS, Mary Hamilton, owner, filed on September 23, 1942, an appeal from an order and decision of the fire commissioner affecting premises 32-23 42nd street, east side, 225 ft. south of Broadway (Block No. 690, Lot No. 29), Astoria, Borough of Queens; and

WHEREAS, order No. 92659-LC on Applic. No. 1326-42, dated August 4, 1942, reads:

"1. Remove all fuel oil from the 260 gallon fuel oil tank on premises, as the Oil Burner Rules of Board of Standards and Appeals provides that fuel oil tanks shall be of 275 gallons capacity."

and

WHEREAS, said order of fire commissioner was repeated in a decision of the fire commissioner dated September 11, 1942; and

WHEREAS, the applicant states the building is 1½ stories in height; 22 ft. by 30 ft. in area; of Class 4 construction; erected 1870; located in a residence use B area district and occupied as a one family dwelling; and

WHEREAS, the applicant contends that at the time the oil burner was installed in the building in question, the only available tank was one of 260 gallons capacity, due to the

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fact that the manufacturer could not obtain 64 in. sheets to make up the 275 gallon tank; and

WHEREAS, the applicant has filed a communication from the manufacturer of the tank in which it is stated that the tank in question is of 10 gauge steel and conforms to all the requirements of the Oil Burner Rules.

Resolved, that the order of the fire commissioner, Order No. 92659-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the tank shall comply with the requirements therefor, and the approval given to the Tragessor Copper Works, Inc. under Cal. No. 978-41-SM; that there shall be painted in conspicuous lettering, on the side of the tank, notice of the actual capacity; that a non-corrosive metal tag, stating the capacity of the tank, shall be wired to the fill line under the fill cap; that in all other respects the oil burner installation shall comply with the Oil Burner Rules of the Board.

712-42-A.

APPLICANT—Mary B. Roberts, lessee, for Lawida Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—4485-4519 Broadway, northwest corner of West 192nd street (Block No. 2180, Lot Nos. 633, 635 and part of Lot No. 646), Borough of Manhattan.

APPEARANCES—

For Applicant: Mary B. Roberts.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (712-42-A)

WHEREAS, Mary B. Roberts, lessee, for Lawida Corporation, owner, filed on September 28, 1942, an appeal from an order of the fire commissioner, affecting premises 4485-4519 Broadway, northwest corner of West 192nd street (Block No. 2180, Lot Nos. 633, 635 and part of Lot No. 646), Borough of Manhattan; and

WHEREAS, Order No. 32070-LC, issued by the fire commissioner September 3, 1942, reads:

"Before a permit may be issued for the storage and use of kerosene oil, the following must be done:

1. Either discontinue the storage of more than 10 gallons of fuel oil or provide an approved storage system as per fuel oil rules of the Board of Standards and Appeals."

and

WHEREAS, the applicant states that the premises consist of a plot 420 ft. by 100 ft. in area; located in a business use district; occupied for the parking and storage of more than five motor vehicles and the sale of used cars, pursuant to variance granted by the Board under Cal. No. 166-37-BZ; and

WHEREAS, it is proposed to store 50 gallons of kerosene in a steel drum, to be located in the open air alongside the attendant's shack, for the purpose of supplying the kerosene heater used for heating this shack; and

WHEREAS, the applicant contends that heretofore it has been possible to buy kerosene in small quantities but that it has now become necessary to buy same in a 50 gallon drum, due to the necessity for suppliers to cut down on deliveries; that it is therefore requested that the Board permit the storage of one 50 gallon drum of kerosene on the premises from September to April for the exclusive use of supplying the heater in the attendant's shack.

Resolved, that the order of the fire commissioner, Order No. 32070-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than one 55 gallon drum of kerosene shall be kept on the

premises; that such drum shall be kept in the open, away from any inflammable material; that such drum shall contain only kerosene to be used solely for the cabinet heater to be used for heating the office as permitted to be maintained under Cal. No. 166-37-BZ; that no kerosene shall be sold or offered for sale; that this permit shall continue only during the term of the variance granted under Cal. No. 166-37-BZ.

737-42-S.

APPLICANT—A. Schrader's Son, Division of Scovill Manufacturing Company, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—481-495 Clermont avenue, 783-803 Atlantic avenue, northeast corner and 470 Vanderbilt avenue (Block No. 2009, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. A. Blume.

For Administration: Thomas Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (737-42-S)

WHEREAS, A. Schrader's Son, Division of Scovill Mfg. Co. Inc., owner, filed October 13, 1942, an application for variation of the labor law, as cited in an order and decision of the fire commissioner, premises 481-495 Clermont avenue, 783-803 Atlantic avenue, northeast corner and 470 Vanderbilt avenue (Block No. 2009, Lot No. 1) Borough of Brooklyn; and

WHEREAS, Order No. 9460-LF, issued August 20, 1942 by the Fire Commissioner as referred to in his decision of September 15, 1942, reads:

- "1. Arrange the door leading to Atlantic avenue from interior stairway so that same is not locked, bolted or fastened during working hours. Sec. 272 of the Labor Law."

and

WHEREAS, the applicant states that the building is 7 stories (96 ft.) in height, 204 ft. by 90 ft. and 100 ft. in area; Class 1 construction; erected in 1913; located in an unrestricted use district and occupied: Cellar, boiler room, coal storage, 2 persons; 1st floor, engine room and factory 4 persons; 2nd floor, stockroom, lunchroom, 6 persons; 3rd to 7th floors inclusive, factory—138, 145, 122, 112 and 56 persons, respectively; that the building is equipped with sprinkler and standpipe systems and an interior fire alarm system; that no fire drills are maintained; that the building is also equipped with three interior fireproof stairs extending from roof to street; and

WHEREAS, the applicant contends that the order of the fire commissioner refers to the doorway leading to street from the termination of stairway in Bldg. No. 1 on Atlantic avenue front, as indicated on plans filed herewith; that this door was originally installed to provide access to offices which were then located on the 2nd floor of Bldg. No. 1; that the door was not necessary otherwise; that the offices were moved to the 9th and 10th floors of Bldg. No. 3 in 1920 and the doors have since been kept locked; that this stairway is used only for communication between floors; that the building is sprinklered and each floor has two stairways remote from each other and no point in any floor is more than 150 feet from an entrance; that the plant is manufacturing war materials and it is required there be rigid control over all exits and entrances and that permission is requested to keep the door closed and locked, as it now is, or as an alternative, to be permitted to install an approved panic bolt thereon; and

MINUTES

WHEREAS, the applicant has filed copy of recommendation of a U. S. Army, Security Officer recommending the installation of a panic bolt on the door in question.

Resolved, that the order of the fire commissioner, Order No. 9460-LF, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the door in question leading to Atlantic avenue from Building No. 1, may be equipped with an approved panic bolt so as to be readily openable at all times from the interior; that there shall be no encumbrances within the stair enclosure throughout its height; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

754-42-A.

APPLICANT—M. M. Altoonian, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—74-03 45th avenue, northeast corner of 74th street (Block No. 60, Lot No. 1), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (754-42-A)

WHEREAS, M. M. Altoonian, owner, filed October 26, 1942, an appeal from an order and decision of the fire commissioner, premises 74-03 45th avenue, northeast corner of 74th street (Block No. 60, Lot No. 1), Elmhurst, Borough of Queens; and

WHEREAS, Order No. 92418-LC, issued by the Fire Commissioner July 1, 1942, as referred to in his decision of October 19, 1942, reads:

"1. Discontinue the storage of fuel oil in the 260 gallon fuel oil tank at above premises, as the Oil Burner Rules of the Board of Standards and Appeals provide that the fuel oil tanks shall be of 275 gallons capacity. Rule 6.1.1, Fuel Oil Rules."

and

WHEREAS, the applicant states that the building is 2 stories (26 ft.) in height, 22 ft. by 55 ft. in area; Class 4 construction; erected in 1900; located in a residence use district and occupied as a 2-family dwelling; and

WHEREAS, the applicant states that at the time the burner was installed, the only available tank was one of 260 gallons capacity, due to the fact the manufacturer could not secure 64 in. sheets to make a 275 gallon tank; and

WHEREAS, the applicant has filed a copy of a letter from the manufacturer of the tank certifying that the tank is of 10 gauge steel and conforms to all the requirements with the exception of capacity.

Resolved, that the order of the fire commissioner, Order No. 92418-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the tank shall comply with the requirements therefor, and the approval given to the Tragesor Copper Works, Inc., under Cal. No. 978-41-SM; that there shall be painted in conspicuous lettering on the side of the tank, notice of the actual capacity; that a non-corrosive metal tag, stating the capacity of the tank, shall be wired to the fill line under the fill cap; that in all other respects the oil burner installation shall comply with the Oil Burner Rules of the Board.

Adjourned: 12:45 P. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, DECEMBER 8, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

ZONING CASES.

184-41-BZ.

APPLICANT—Edgar J. Moeller, for Jackson Heights-Philadelphia Company, Incorporated and Queensboro Investing Company, owners.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use and also "E" area district, the erection and maintenance of a building not conforming with E area and also rear yard requirements and, also having show windows on the residence street distant more than 25 feet from its intersection with a business street.

PREMISES AFFECTED—75-02 to 75-20 37th (Polk) avenue, south side, from 75th to 76th street, 37-01 to 37-11 75th street and 37-02 to 37-14 76th street (Block No. 1286, Lot Nos. 30 and 38), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

63-42-BZ.

APPLICANT—Alexander A. Forman, 3rd, for State Engineering Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a residence use district, the erection and maintenance of a new gasoline service station building with new non-accessory uses.

PREMISES AFFECTED—4001-4011 Fourth avenue, southeast corner of 40th street (Block No. 714, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

159-42-BZ.

APPLICANT—Herman Kron, for Mutual Life Insurance Co., and Eckmar Realty Co., Inc., owners (Joseph Fuchs, lessee).

SUBJECT—Application (re decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—427-429 West 52nd street, north side, 399.2 ft. east of Tenth avenue and 424 West 53rd street (Block No. 1062, Lot Nos. 17, 18 and 47), Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

87-42-BZ.

APPLICANT—AAA Properties, Incorporated, owner.

SUBJECT—Application for reopening by order of the court for additional testimony—re Application (decision of the borough superintendent) previously denied by the Board, under section 7h of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3856-3872 Ninth avenue, west side, between West 206th street and West 208th street (Block No. 2203, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Emily Marx.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and set for hearing January 12, 1943 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

331-42-BZ.

APPLICANT—Samuel Rosenblum, for Fifty-Five Wadsworth Terrace Corporation, owner.

SUBJECT—Application for consideration—reopening and rehearing on alleged new facts—re Application (decision of the borough superintendent) under sections 7i and 21 of the zoning resolution, to permit in a business use district, the conversion of occupancy from laundry to motor vehicle repair shop and five (5) car garage in basement of one-story laundry and stores building (previously denied re conversion to motor vehicle repair shop).

PREMISES AFFECTED—145-155 Fort George avenue and 1662-1670 St. Nicholas avenue, northerly intersection (Block No. 2149, Lot No. 276), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

539-42-BZ.

APPLICANT—Edwin H. Thacher, for Polytechnic Institute of Brooklyn, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar—re Application (decision of the borough superintendent, previously withdrawn, under section 7h of the zoning resolution, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—244-266 4th street, south side, 97 ft. 10½ in. east of Fourth avenue and 275-399 5th street (Block No. 984, Lot Nos. 11 and 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin H. Thacher and E. V. Thacher.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and set for hearing January 12, 1943 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

159-36-BZ.

APPLICANT—Alurion Realty Corporation, owner (Public Service Interstate Transportation Company, lessee).

SUBJECT—Application for consideration—reopening and rehearing, to permit the Corporation Counsel to be heard—re Application (decision of the borough superintendent) under section 7j of the zoning resolution, permitting in a retail (1) use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles (Bus Terminal); previously acted upon by the Board.

PREMISES AFFECTED—245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1013, part of Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Daniel L. Smith, Jr.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Resolution of October 20, 1942 rescinded.

THE VOTE TO RESCIND RESOLUTION OF OCTOBER 20, 1942—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (159-36-BZ)

WHEREAS, Frank G. Colgan, for Alurion Realty Corporation, owner, filed May 29, 1936, an application under section 7h of the zoning resolution, to permit in a retail use district, the use and maintenance of a plot of ground as a parking space for more than five (5) motor vehicles for a temporary period of two (2) years; premises: 245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1013, part of Lot No. 3), Borough of Manhattan; and

WHEREAS, this application was granted by the Board October 23, 1936, on certain conditions, resolution amended April 19, 1938, permit extended October 11, 1938, resolution amended February 21, 1939; and

WHEREAS, such variance expired by limitation on October 11, 1940; and

WHEREAS, upon application of Regan and Barrett, representing owner and Public Service Interstate Transportation Company, lessee, application was reopened on February 18, 1941 subject to usual procedure; and

WHEREAS, application was completed and set for hearing on September 9, 1941 and thereafter laid over from time to time upon request of applicant, pending court determination in the *Matter of Bus Depot Holding Corporation v. Valentine*; and

WHEREAS, on October 20, 1942, upon advice that the court determination had been rendered adversely to the Police Commissioner, the Board amended the previous resolution to permit the continuance of the bus station and waiting room for a further term of two years under applicable section 7, subdivision J; and

MINUTES

WHEREAS, the application was placed on the calendar for further consideration on November 17, 1942 and thereafter laid over at request of applicant to November 24 and December 8; and

WHEREAS, on December 8, the Board found that the determination of the Borough Superintendent was based upon an application for a certificate of occupancy which incorrectly described the premises as actually occupied for the parking of busses and for a waiting room and office for sale of tickets accessory thereto; and

WHEREAS, such records had not previously been transmitted to the Board as required by section 668, paragraph b of the New York Charter; and

WHEREAS, the Board deemed that the resolution adopted October 20, 1942 should be rescinded to permit consideration of the application after a proper application is filed with the Borough Superintendent and a new decision obtained and filed.

Resolved, that the Board of Standards and Appeals does hereby rescind its resolution adopted on October 20, 1942.

APPEALS FROM ADMINISTRATIVE DECISIONS.

57-42-S.

APPLICANT—Sidney L. Strauss, for MacFarlane Fire Prevention Corporation, for Meyline Realty Corporation, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in orders and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M., for further consideration by the Board.

70-42-A.

APPLICANT—Eugene Buonamici, for A. Bennett Estate, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2797 Third avenue, west side, 200 ft. south of East 148th street (Block No. 2327, Lot No. 28), Borough of The Bronx.

APPEARANCES—

For Applicant: Eugene Buonamici.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M., pending an inspection by a committee of the Board.

80-42-A.

APPLICANT—Leonardo Lamp Manufacturing Company (lessee), for S. and A. Realty Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—591 Broadway, west side, 200 ft. south of Houston street (6th floor); (Block No. 512, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Helen Zuckerman.

ACTION OF BOARD—Laid over to December 15, 1942 at 2 P. M., at request of applicant's representative.

93-42-A.

APPLICANT—Benjamin F. V. Driesler, for Yeshiva of Washington Heights, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—565-567 West 185th street, north side, 100 ft. east of St. Nicholas avenue (Block No. 2157, Lot Nos. 65 and 66), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 15, 1942 at 2 P. M. at written request of applicant.

718-42-A.

APPLICANT—George H. Holland, Department of Public Works, for Department of Hospitals, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—149-25 Rockaway Beach boulevard, south side, 100 ft. west of Beach 149th street (Block No. 810, Lot No. 1), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: George H. Holland, Jacob Lustig and Julius C. Metzle.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 15, 1942 at 2 P. M., for further consideration by the Board.

722-42-A.

APPLICANT—Sidney Daub, for Level Realty Corporation, owner, Alexander's Department Stores Incorporated, lessee.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2515 Grand concourse, west side, 106.34 ft. north of East Fordham road (Block No. 3167, Lot No. 76), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M., pending an inspection by a committee of the Board.

738-42-A.

APPLICANT—Irving M. Fenichel, for Abiec Realty Corporation, owner (Nu Boro Park Cleaners, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1265-1269 39th street, north side, 120 ft. west of 13th avenue (Block No. 5294, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Fenichel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings, and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M., for further consideration by the Board.

796-42-A.

APPLICANT—S. Walter Katz, for Beatrice Shankman, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—101 Greene street, west side, 244 ft. 10 in. north of Spring street (Block No. 500, Lot No. 28), Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: John Leonard and Sam Krinsky.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M., for further consideration by the Board.

185-41-A.

APPLICANT—Edgar J. Moeller, for Jackson Heights-Philadelphia Co., Inc., and Queensboro Investing Co., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—37-02 to 37-20 37th (Polk) avenue, south side, from 75th to 76th street, 37-01 to 37-11 75th street and 37-02 to 37-14 76th street (Block No. 1286, Lot Nos. 30 and 38), Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 1
Negative: 0

633-42-A.

APPLICANT—Oscar Goldschlag, for Eugene Higgins, owner (Jumel Building, Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2503-2509 Broadway, west side, 25 ft. 2½ in. north of West 93rd street (Block No. 1241, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Goldschlag and Morse Haymes.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

677-42-A.

APPLICANT—Joseph Kleinberger, for Estate of Thomas F. Murtha, owner (Atlantic Leasing Company, Incorporated, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1576-1578 Broadway, 201 West 47th street, northeast corner and 702-708 Seventh avenue (Block No. 1019, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

688-42-A.

APPLICANT—Manhattan Opera House Holding Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—311-315 West 34th street, north side, 200 ft. west of Eighth avenue (Block No. 758 Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Gittleson.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

693-42-A.

APPLICANT—Alfred H. Eccles, for Simon Sussman owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—30-36 48th street, west side 325.23 ft. south of 30th avenue (Block No. 729 Lot No. 60), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

634-42-S.

APPLICANT—Commonwealth Color and Chemical Company, lessee, for Roloc Realty Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—223 Nevins street, southeast corner of Butler street (Block No. 406, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Orey W. Pridham.
For Administration: Thomas A. Larkin, Fire Dep't

ACTION OF BOARD—Application granted on condition

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (634-42-S)

WHEREAS, Commonwealth Color and Chemical Company, lessee, for Roloc Realty Co., owner, filed August 19, 1941, an application for variation of the Labor Law as cited in a decision of the fire commissioner; premises 223 Nevins street, southeast corner of Butler street (Block No. 406, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated July 29, 1942, reads:

"In reply to your letter of July 10th you will please be advised that no permit may be granted for your employees to smoke in your premises inasmuch as it is an office building connecting with a factory."

and

WHEREAS, the applicant states the building is two stories in height, 62 ft. 9 in. by 62 ft. in area; Class 3 construction; located in an unrestricted use district and occupied since 1937 as an office building, 15 persons; that the building is equipped with sprinkler and interior fire alarm systems and fire drills are not maintained; and

MINUTES

WHEREAS, the applicant requests permission be granted for smoking in the office building during business hours; that no one will be permitted to enter any other portion of the plant while carrying lighted or unlighted cigars, cigarettes or pipes and that the office portion to which this application relates, is indicated in red on the diagram filed with this case.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in the decision of the fire commissioner, dated July 29, 1942, and that the application be and it hereby is *granted on condition* that smoking shall be restricted to the area within the office portion as described and shall continue only so long as conditions are maintained to the satisfaction of the fire commissioner and that the sprinkler system and interior fire alarm system are maintained to his satisfaction; that in all other respects, the building and occupancy shall comply with all rules and laws applicable thereto other than as modified by the Board under Cal. No. 1305-27-A and 1306-27-S, including the rules of the Board as to smoking in factories.

711-42-S.

APPLICANT—Herman Saperstein, for Jefferson Brass Foundry, owner.

SUBJECT—Variation of the labor law as cited in an order of the fire commissioner.

PREMISES AFFECTED—62 Delevan street, north side, 175 ft. west of Richards street (Block No. 518, Lot No. 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Herman Saperstein.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (711-42-S)

WHEREAS, Herman Saperstein, for Randolph Ember, George Ember and William Ember, doing business as Jefferson Brass Foundry, owners, filed on September 29, 1942, an application for variation of the requirements of the Labor Law as cited in an order of the fire commissioner, affecting premises 62 Delevan street, north side, 175 ft. west of Richards street (Block No. 518, Lot No. 35), Borough of Brooklyn; and

WHEREAS, Order No. 9506-LF, issued by the fire commissioner September 1, 1942, reads:

"1. Arrange iron bars on windows so as to be readily movable or removable from both sides in such manner as to afford the free and unobstructed use of such windows for the purposes of egress as per Sec. 272 of the Labor Law.

2. Conspicuously post and keep posted signs prohibiting smoking, printed in: English and other necessary languages. Sec. 283 of the Labor Law.

3. Provide fireproof receptacles with covers for the storage of rubbish. Sec. 281 of the Labor Law."

and

WHEREAS, the applicant states that the building is one story (22 ft.) in height, 57 ft. by 96 ft. in area; of Class 3 construction; erected 1921; located in an unrestricted use district, and occupied as a foundry, 20 persons; that there are 12 windows affected, 4 of which are in the office extension; 4 on the west side of the building; 4 on the east side of the building; that there are six doors which can be used as exits from the building; and

WHEREAS, the applicant contends as to Item 1 of Order No. 9506-LF, that the building is non-fireproof and has six exits consisting of 1 from the office; a double door exit from the front of the building, two exits from the east

side of the building and two exits from the west side of the building; that there are two windows in front of the building, one on each side of the exits, each 7 ft. wide by 9 ft. 7½ in. high, and located 4½ ft. above floor; that there are two similar windows in the rear of the building; that none of these four windows have iron bars; that they are equipped with rolling iron shutters on the inside, which are drawn at night; that on the east side of the building, there are four windows of similar size and four on the west side of similar size; that these windows are barred; that in the office addition, there is one window at front, one window on the east side and two windows in the rear of the addition; that these windows are ordinary size and are barred; that in view of the construction of the building and the number of exits that exist, there is no necessity to order the change; that the company is engaged in war work on metals, with an AA-1 priority; that bars were installed in order to prevent possible burglary of these essential metals; and

WHEREAS, the applicant contends as to Item 2 of Order No. 9506-LF, that the employees have threatened to quit in the event that smoking is prohibited and under present circumstances it is impossible to obtain new employees; and

WHEREAS, the applicant contends as to Item 3 of Order No. 9506-LF, that there is no rubbish of any sort in the foundry, except metal and therefore there is no necessity for any fireproof receptacles; and

WHEREAS, the applicant states that on September 25, 1942, the fire commissioner refused permission to smoke in the following decision:

"Regarding your request for permission to smoke in these premises please be informed that we are without authority to grant such permission."

and

WHEREAS, the applicant contends as to the decision of the fire commissioner dated September 25, 1942, that the rules of the Board of Standards and Appeals, adopted August 12, 1918, Rule 2, Subdivision b, specifically permits smoking in a foundry such as is contained in the building in question; and

WHEREAS, Certificate of Occupancy No. 8043, was issued April 18, 1921, permitting the building to be used as foundry and office, and Certificate of Occupancy No. 104187, issued January 20, 1942, on N. B. Application No. 2351-41, permitted the use of a Class 5 storage building for the storage of castings.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in Order No. 9506-LF of the fire commissioner and that the application be and it hereby is *modified* as to Objection No. 1, *on condition* that the exits as shown on plans filed with this application marked "Received November 13, 1942" shall be maintained together with a clear way therefrom to street at all times; as to Objection No. 2, that smoking may be permitted under the Smoking in Factory Rules adopted by the Board; and as to Objection No. 3 that fireproof receptacles for the storage of rubbish need not be furnished unless the fire commissioner finds that rubbish is being accumulated and such receptacles are necessary.

757-42-A.

APPLICANT—Jack Z. Cohen, for Jean Perfit, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1517 54th street, north side, 137 ft. 6 in. east of 15th avenue (Block No. 5477, Lot Nos. 65 and 67), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer and Jean Perfit.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted, revoking Certificate of Occupancy No. 84811-37.

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THE VOTE TO REVOKE CERTIFICATE OF OCCUPANCY NO. 84811-37—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (757-42-A)

WHEREAS, Jack Z. Cohen, for Jean Perfit, owner, filed on October 26, 1942 an appeal from a decision of the borough superintendent, affecting premises 1517 54th street, north side, 137 ft. 6 in. east of 15th avenue (Block No. 5477, Lot Nos. 65 and 67), Borough of Brooklyn, and an application for revocation of Certificate of Occupancy No. 84811-37 affecting such premises; and

WHEREAS, the decision of the borough superintendent, dated October 14, 1942 on Alt. Applic. No. 2907-42, reads:

"1. Housing Division Records show building formerly a heretofore converted dwelling Class A and converted to a non-tenement under Permit #6601-37. Certificate of Occupancy #84811-37 issued for two families. Your request in application to revoke Certificate of Occupancy is denied as Borough Superintendent is without power to revoke same."

and

WHEREAS, the applicant states that the building is 3 stories (34 ft.) in height, 24 ft. by 58 ft. in area, of class 4 construction, erected in 1905, located in a residence use district and occupied: cellar—ordinary; 1st floor—1 family; 2nd floor and 3rd floor combined—1 family; proposed to be occupied: cellar—ordinary; 1st floor—1 family; 2nd floor—1 family; 3rd floor—1 family; that Certificate of Occupancy No. 84811 issued November 1, 1937, permitted the use of the building for one family on the first floor and one family on the second and third floors combined and was issued under Permit 6601-37; and

WHEREAS, Violation 4402-41 issued October 14, 1941, was for maintaining a three family dwelling without a Certificate of Occupancy in violation of Section C26-184.0 of the Administrative Code; and

WHEREAS, the applicant contends that under Building Notice 6601-37, an application was approved to change the building from three families to two families; that such application contained no plans but merely a statement that all plumbing fixtures, except those necessary for two families, will be removed; that the Certificate of Occupancy issued under B. N. 6601-37 should not have been issued as the physical layout of the building which was unchanged is designed, arranged and intended for three family occupancy having a complete apartment on each of the 1st, 2nd and 3rd stories; that the owner proposes to comply with the Multiple Dwelling Law and therefore requests revocation of Certificate of Occupancy No. 84811, so that the building may revert to the former classification of a heretofore converted dwelling.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 2907-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, revoking Certificate of Occupancy No. 84811-37, permitting the occupancy of the building for two (2) families, to permit owner to comply with the requirements of Article 6 of the Multiple Dwelling Law for occupancy for three families.

765-42-S.

APPLICANT—M. Allen Schlendorf, for Liebmann Breweries, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—46 Evergreen avenue, west side, 45 ft. north of Forrest street (Office 36 Forrest street); (Block No. 3142, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Allen Schlendorf and Herman Reese.

For Administration: Thos. A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (765-42-S)

WHEREAS, M. Allen Schlendorf, for Liebmann Breweries, Inc., owner, filed on October 29, 1942 an application for variation of the requirements of the Labor Law as cited in a decision of the fire commissioner, affecting premises 46 Evergreen avenue, west side, 45 ft. north of Forrest street (Block No. 3142, part of Lot No. 1) (described in Fire Department records as 36 Forrest street), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner dated October 23, 1942, reads:

"In response to your letter of October 21, 1942 requesting permission to smoke in the locker, rest room and toilets of the above-mentioned premises, you will please be informed that no permit may be issued by the Fire Commissioner.

The Section of the Labor Law to which you refer specified that the Board may grant such a permit. This Board is the Board of Standards and Appeals, Room 1000, Municipal Building, Manhattan."

and

WHEREAS, the applicant states that the building is 2 stories (40 ft.) in height, 55 ft. by 70 ft. in area, of class 1 and class 3 construction, erected in 1900, located in an unrestricted use district and occupied: basement—keg storage—2 persons; 1st floor—wash house—15 persons; 2nd floor—tank room and locker room—50 persons; that the building is equipped with one 3 ft. 3 in. steel stairs enclosed within masonry walls on 2nd floor, equipped with wood doors

and

WHEREAS, the applicant requests permission to smoke in the locker room on the 2nd floor at the Evergreen avenue front of the building, as indicated on 2nd floor plan filed with this application marked "Received October 29, 1942"

and

WHEREAS, the applicant contends that to afford relaxation to employees during the lunch hour, application is made to permit smoking in the locker room; that the fire hazard is cut to a minimum, due to the nature of the industry; that there are non-combustible surfaces and materials surrounding the area in question; that locker rooms in breweries are constantly wet as well as all other processing areas and hazards from smoking are reduced to a minimum; that providing a designated time and place for smoking in safe surroundings, would prevent carelessness and hazard.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the fire commissioner dated October 23, 1942, and that the application be and it hereby is *granted on condition* that no smoking shall be permitted within the building other than in the locker room, as indicated on plans filed with this application marked "Received October 29, 1942"; that such signs shall be installed throughout the premises as the fire commissioner shall direct, limiting the smoking as herein permitted; that in all other respects, the rules of the Board as to Smoking in Factories shall be complied with.

766-42-S.

APPLICANT—M. Allen Schlendorf, for Liebmann Breweries, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

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PREMISES AFFECTED—67-69 Noll street and 66-74 Evergreen avenue, northwest corner (Office 36 Forrest street); (Block No. 3146, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Allen Schlendorf and Herman Reese.

For Administration: Thos. A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (766-42-S)

WHEREAS, M. Allen Schlendorf, for Liebmann Breweries, Inc., owner, filed October 29, 1942, an application for variation of the Labor Law as cited in a decision of the fire commissioner; premises 67-69 Noll street and 67-74 Evergreen avenue, northwest corner (designated in Fire Dept. records as 36 Forrest street); (Block No. 3146, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, dated October 23, 1942, reads:

"In response to your letter of October 21, 1942, requesting permission to smoke in the locker, rest room and toilets of the above mentioned premises, you will please be informed that no permit may be issued by the Fire Commissioner.

The section of the Labor Law to which you refer specifies that the Board may grant such a permit. This Board is the Board of Standards and Appeals, Room 1000, Municipal Building, Manhattan."

and

WHEREAS, the applicant states that the building is four stories and cellar (64 ft.) in height, 56 ft. by 80 ft. in area; Class 1 and 3 construction; erected in 1890; located in an unrestricted use, B area district; occupied: Cellar, concrete water vats—0 occupants; 1st floor, brewing materials, 2 persons; 2nd floor, locker room and wort reservoir, 20 persons; 3rd floor, brewing materials, 1 person; 4th floor, same; no change proposed in occupancy; that the building is equipped with one 3 ft. wide iron stairway with brick enclosure equipped with fireproof self-closing tin clad sliding doors; that this stairway leads to roof, but does not lead direct to street; and

WHEREAS, the applicant requests permission to smoke in the locker room on the 2nd floor, as indicated on plan filed with this application marked "Received October 29, 1942"; and

WHEREAS, the applicant contends that to afford relaxation to employees during the lunch hour, application is made to permit smoking in the locker room; that the fire hazard is cut to a minimum due to the nature of the industry; that there are non-combustible surfaces and materials surrounding the area in question; that locker rooms in breweries are constantly wet as well as all other processing areas and hazards from smoking are reduced to a minimum; that providing a designated time and place for smoking in safe surroundings would prevent carelessness and hazard.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the fire commissioner dated October 23, 1942, and that the application be and it hereby is granted on condition that no smoking shall be permitted within the building other than in the locker room, as indicated on plans filed with this application marked "Received October 29, 1942"; that such signs shall be installed throughout the premises as the fire commissioner shall direct, limiting the smoking as herein permitted; that in all other respects, the rules of the Board as to smoking in factories shall be complied with.

767-42-S.

APPLICANT—M. Allen Schlendorf, for Liebmann Breweries, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—84-90 Stanwix street and 38-44 Montith street, southeast corner (Office 36 Forrest street); (Block No. 3142, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Allen Schlendorf and Herman Reese.

For Administration: Thos. A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (767-42-S)

WHEREAS, M. Allen Schlendorf, for Liebmann Breweries, Inc., owner, filed October 29, 1942, an application for variation of the Labor Law as cited in a decision of the fire commissioner, premises: 84-90 Stanwix street and 38-44 Montith street, southeast corner (designated in Fire Dept. records as 36 Forrest street); (Block No. 3142, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner dated October 23, 1942, reads:

"In response to your letter of October 21, 1942, requesting permission to smoke in the locker, rest rooms and toilets of the above mentioned premises, you will please be informed that no permit may be issued by the Fire Commissioner.

The Section of the Labor Law to which you refer specifies that the Board may grant such a permit. This Board is the Board of Standards and Appeals, Room 1000, Municipal Building, Manhattan."

and

WHEREAS, the applicant states that the building is two stories and basement (35 ft.) in height, 100 ft. by 80 ft. in area; erected in 1912; located in an unrestricted B area district; Class 1 and 3 construction; occupied: basement—bottling plant, 15 persons; 1st floor, same, 15 persons; 2nd floor, bottling plant and locker room, 50 persons; that the building is equipped with two stairways of steel construction unenclosed, one of which is 3 ft. wide and the other 3 ft. 6 in. wide and none of which goes to roof or direct to street; and

WHEREAS, the applicant requests permission to smoke in the locker room on the 2nd floor, as indicated on plan filed with this application marked "Received October 29, 1942"; and

WHEREAS, the applicant contends that to afford relaxation to employees during the lunch hour, application is made to permit smoking in the locker room; that the fire hazard is cut to a minimum due to the nature of the industry; that there are non-combustible surfaces and materials surrounding the area in question; that locker rooms in breweries are constantly wet as well as all other processing areas and hazards from smoking are reduced to a minimum; that providing a designated time and place for smoking in safe surroundings would prevent carelessness and hazard.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the fire commissioner dated October 23, 1942, and that the application be and it hereby is granted on condition that no smoking shall be permitted within the building other than in the locker room, as indicated on plans filed with this application marked "Received October 29, 1942"; that such signs shall be installed throughout the premises as the fire commissioner shall direct, limiting the smoking as herein permitted; that in all other respects, the rules of the Board as to smoking in factories shall be complied with.

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768-42-S.

APPLICANT—M. Allen Schlendorf, for Liebmann Breweries, Incorporated, owner.

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—63 Noll street, north side, 84 ft. west of Evergreen avenue (Office 36 Forrest street); (Block No. 3146, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Allen Schlendorf and Herman Reese.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (768-42-S)

WHEREAS, M. Allen Schlendorf, for Liebmann Breweries, Inc., owner, filed on October 29, 1942 an application for variation of the requirements of the Labor Law as cited in a decision of the fire commissioner, affecting premises 63 Noll street, north side, 84 ft. west of Evergreen avenue (designated in Fire Department records as 36 Forrest street); (Block No. 3146, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner dated October 23, 1942, reads:

"In response to your letter of October 21, 1942 requesting permission to smoke in the locker, rest rooms and toilets of the above-mentioned premises, you will please be informed that no permit may be issued by the Fire Commissioner.

The Section of the Labor Law to which you refer specified that the Board may grant such a permit. This Board is the Board of Standards and Appeals, Room 1000, Municipal Building, Manhattan."

and

WHEREAS, the applicant states that the building is 2 stories (25 ft.) in height, 24 ft. by 61 ft. in area; of class 1 and 3 construction, erected in 1913, located in an unrestricted use district and used and occupied as follows: 1st floor—pipe and forge shop—5 persons; 2nd floor—locker room—40 persons; that the building is equipped with one 3 ft. 6 in. stairway which does not lead to roof or street; and

WHEREAS, the applicant requests permission to smoke in the locker room on the 2nd floor, as indicated on plan filed with this application marked "Received October 29, 1942"; and

WHEREAS, the applicant contends that to afford relaxation to employees during the lunch hour, application is made to permit smoking in the locker room; that the fire hazard is cut to a minimum due to the nature of the industry; that there are non-combustible surfaces and materials surrounding the area in question; that locker rooms in breweries are constantly wet as well as all other processing areas and hazards from smoking are reduced to a minimum; that providing a designated time and place for smoking in safe surroundings would prevent carelessness and hazard.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the fire commissioner dated July 29, 1942, and that the application be and it hereby is *granted on condition* that no smoking shall be permitted within the building other than in the locker room, as indicated on plans filed with this application marked "Received October 29, 1942"; that such signs shall be installed throughout the premises as the fire commissioner shall direct, limiting the smoking as herein permitted; that in all other respects, the rules of the Board as to smoking in factories shall be complied with.

784-42-A.

APPLICANT—Lama and Proskauer, for Patsy Esposito, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—59 South Ninth street, north east corner of Wythe avenue (Block No. 2136, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted, revoking Certificate of Occupancy No. 100374-41.

THE VOTE TO REVOKE CERTIFICATE OF OCCUPANCY NO. 100374-41—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (784-42-A)

WHEREAS, Lama and Proskauer, for Patsy Esposito, owner, filed on November 9, 1942, an appeal from a decision of the borough superintendent and an application to revoke Certificate of Occupancy No. 100374-41, affecting premises 59 South 9th street, northeast corner Wythe avenue (Block No. 2136, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated November 6, 1942, on Alt. Applic. No. 101-41 reads:

"1. Housing Division Records show former old law Tenement converted to a non-tenement under Dept. of Buildings Permit 5763-40 and C. O. 100374/41 issued. Building as altered to comply with Sec. 8, subdiv. 1, for a hereafter erected multiple dwelling."

and

WHEREAS, the applicant states that the building is 4 stories (43 ft. 6 in.) in height, 22 ft. by 45 ft. in area, of class 3 construction, erected about 1902, located in an unrestricted use district and occupied as follows: cellar—ordinary; 1st floor—store; 2nd floor—dwelling—1 family; 3rd floor—dwelling—1 family; 4th floor vacant; proposed to be occupied: cellar—ordinary; 1st floor—store; 2nd floor—1 family; 3rd floor—1 family; and 4th floor, 1 family and

WHEREAS, the applicant contends that this is an appeal to revoke Certificate of Occupancy No. 100374 issued under Permit No. 5763-40, permitting the building to be occupied on the 2nd, 3rd and 4th floors by one family each and as a store on the ground floor; that at the time Permit No. 5763-40 was issued, there was a multiple violation outstanding, requiring the fire-retarding of the halls and including several other violations; that the owners at that time removed the building from the multiple dwelling classification; that the present owner has complied with the then pending violations and applied for a Certificate of Occupancy for three families and store; that the building is designed as a three family building and the present owners request that the existing Certificate of Occupancy be revoked and the building be reclassified to its original status.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 101-41, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* revoking Certificate of Occupancy No. 100374-41, to permit the owner to comply with the provisions of Article 7 of the Multiple Dwelling Law.

145-42-A.

APPLICANT—John J. Asselta, for Chamgreen Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—303-307 Greenwich street, northeast corner of Chambers street (Block No. 140, Lot No. 15), Borough of Manhattan.

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APPEARANCES—

For Applicant: John J. Asselta.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (145-42-A)

WHEREAS, John J. Asselta, for Chamgreen Corporation, owner, filed on February 19, 1942 an appeal from a decision of the borough superintendent; premises 303-307 Greenwich street, northeast corner of Chambers street (Block No. 140, Lot No. 15), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 315-41, dated January 20, 1942, reads:

"1. Construction as shown contrary to 2.4.1. B. Code.

a. Incombustible materials required.

b. Drain marquise to sewer.

c. Marquise lawful only on entrances to public bldgs., theatres, hotels, M. Dllgs., Large Dep't Stores and similar structures of a public nature."

and

WHEREAS, the applicant states that the building is five stories (55 ft.) in height; 78 ft. 10 in. by 107 ft. in area; of Class 3 construction; located in an unrestricted use district; erected in 1885; and occupied throughout for the storage of butter and eggs; and

WHEREAS, Violation No. 152-41 was issued January 9, 1941 for changing the supports of awning on front of building without filing plans and obtaining a permit; and

WHEREAS, the applicant contends that the premises are located in the wholesale butter, eggs and cheese market area; that the marquise has been maintained in front of these premises for upwards of 45 years and is absolutely essential to the conduct of the business; that the marquise was attached to the elevator structure and due to an order from the Transit Commission a contractor was engaged to install rods supporting the marquee to the front wall of the building; that upon completion of the work violation was served and plans filed to remove such violation; that the existence of the marquise for the length of time heretofore mentioned precludes the application of Section 2.4.1 of the Building Code and that the use of the marquise is essential to the business and its present use should be allowed; and

WHEREAS, this appeal was granted by the Board on March 24, 1942, on certain conditions and the resolution read as follows:

"Resolved, that the decision of the borough superintendent, on Alt. Applic. 315-41, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the marquee shall be constructed substantially as indicated on plans filed with the borough superintendent and shall be not nearer than two feet to the proposed new location of curb; that this variation is for a term of two (2) years from the date of this resolution and only so long as the premises are used as at present for the wholesaling of food products."

and

WHEREAS, the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted March 24, 1942, by adding thereto:

"* * * that until such time as the roadway is widened, and the curb reset in a new location, the marquee may be permitted to be not nearer than two (2) ft. from the location of the existing curb * * *"

APPLIANCE AND MATERIAL SUBMITTED FOR APPROVAL.

487-42-SM.

APPLICANT—New York Trap Rock Corporation, owner.
SUBJECT—Haverstraw Trap Rock (Concrete Aggregate) as produced by the New York Trap Rock Corporation, approval of.

APPEARANCES—

For Applicant: Edward B. Kirby.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (487-42-SM)

WHEREAS, the New York Trap Rock Corporation, owner, filed on June 17, 1942, an application with the Board of Standards and Appeals for approval of the material known as the Haverstraw Trap Rock (Concrete Aggregate), as produced by the New York Trap Rock Corporation; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 25, 1942.

Re: Cal. No. 487-42-SM.

Subject: Haverstraw Trap Rock (Concrete Aggregate) as produced by the New York Trap Rock Corp., approval of.

The New York Trap Rock Corporation filed on June 17, 1942, an application for the approval of Haverstraw Trap Rock, a crushed stone, produced at the applicant's plant located at Haverstraw, New York, under the requirements of Section C26-178.0.b, for use under the pertinent provisions of Sub. Art. 5, "Reinforced Concrete Construction" of Article 9 "Construction" of the Administrative Building Code.

The manufacturing processes are as follows: The rock is quarried from two faces; overburden is removed from the upper face by hand with pick and shovel. The top of the second face is the floor of the upper face and no stripping is required. Blasting holes are drilled with well drills using water as a lubricant. The water mixed with stone dust created by the drills is baled out and observed by the driller to determine the location of pockets of imperfect stone. Due to the toughness of the stone, blasting is done with Dupont's Nitramon "D" in 34 lb. cans. Secondary blasting of large sizes is done by using dynamite in holes drilled with jack drills approximately 15/8 to 13/4" in diameter. When blasted the stone is loaded into 10 yard trailer trucks by electric shovels and hauled to the primary crusher. The primary crusher is a Bull Dog Jaw Crusher manufactured by the Traylor Engineering Company and has a capacity of approximately 500 cu. yds. per hr. and can handle stone up to 60" square and 48" in thickness. The Bull Dog Crusher breaks the stone into pieces not over 18" long and 12" thick and the stone is then fed to two gyratory crushers which reduce it to a maximum size of 9". All stone over 3 1/4" in diameter is scalped off by revolving screens and fed to a second set of gyratory crushers and thence fed to scalping screens where large sizes are fed back to a set of Symons Cone Crushers. From the crushing operations, the stone is conveyed by belts to screening building where it is separated into the following sizes: 2 1/2", 1 1/2", 1 1/4", 3/4", 5/8", 3/8", 1/4", sand and dust. The stone is stored in silos according to size and blended on order to meet specifications. The blending is performed by feeding to regulated openings at bottom of silo to a belt which leads to the wash house. After blending

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the stone is carried to the wash house which is a 3 story building; the stone is tumbled over a series of baffles to the first floor. As the stone passes over the baffles it is washed by the water under pressure at the rate of approximately $\frac{1}{2}$ ton of water for each ton of stone washed. The stone is carried by a belt conveyor from the wash house to the loading chute where it is loaded on flat bottom scows having a capacity of 600 to 700 cubic yards.

The controls on the manufacturing process are as follows: The applicant maintains its own testing laboratory where each blended boat load of stone is tested for size to determine if the specifications are met. Samples for these tests are taken at the start of loading of each boat, and if tests indicate that specifications are not complied with as to size, adjustments are immediately made to correct for same. Three to five check tests are made on each boat load to insure accuracy.

Samples of this trap rock were submitted to the Haller Engineering Associates, Inc. for test with the following results as indicated by Laboratory Report No. 54969 dated October 23, 1942.

ANALYSIS.

Passing	%	Required ASTM C33-39
1½".....	100.0	100
1".....	100.0	90—100
¾".....	69.09	
½".....	41.82	25— 60
⅜".....	16.37	
#4.....	4.37	0— 10
#8.....	0.00	
Los Angeles Abrasion—16.5.		

NOTE: Material complies with requirements of New York City Building Code for concrete aggregate.

Recommendations.

On the basis of the foregoing data, it is recommended by the Committee on Tests that Haverstraw Trap Rock as produced by the New York Trap Rock Corp. at its Haverstraw plant be approved for use in New York City under Section C26-191.0, Administrative Building Code as fine and coarse aggregates under the following requirements:

1. That each scow destined for use in New York City shall be accompanied by a delivery slip stating in addition to the source of the material, the gradation, and it shall bear the following stamp or label thereon: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 487-42-SM", and that each truck delivery slip shall be similarly stamped by the dealer.

2. That samples shall be taken pursuant to accepted practice from each scow destined for New York City and a record kept of the resulting test for gradation.

3. That at least once each month a composite report of tests made pursuant to the above requirement shall be forwarded to the Board and certified by the applicant's representative.

4. That when used, these aggregates shall comply with the requirements of Paragraph C of Section C26-315.0 of the Administrative Code.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of the material.

Resolved, that the Board of Standards and Appeals do hereby *approve* the material known as Harvester Trap Rock (Concrete Aggregate) as produced by the New York Trap Rock Corporation, *on condition* that the material be manufactured and labelled, stamped or tagged in accordance with above report.

781-42-SA.

APPLICANT—American Fire Prevention Bureau, Incorporated, owner.

SUBJECT—Derby Type B Electrically Operated Remote Control Valve for Standpipe and Sprinkler Systems, approval of.

APPEARANCES—

For Applicant: John H. Derby.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn

Negative:

THE RESOLUTION (781-42-SA)

WHEREAS, the American Fire Prevention Bureau, Inc. owner, filed on November 6, 1942, an application with the Board of Standards and Appeals for approval of the appliance known as the Derby Type B Electrically Operated Remote Control Valve for Standpipe and Sprinkler Systems; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 27, 1942.

Re: Cal. No. 781-42-SA.

SUBJECT: Derby Type B Electrically Operated Remote Control Valve for Standpipe and Sprinkler Systems.

The American Fire Prevention Bureau filed November 6, 1942, an application with the Board of Standards and Appeals for approval of the Derby Type B Electrically Operated Remote Control Valve for Sprinkler and Standpipe Systems under the provisions of C26-178.0,b, Administrative Building Code.

This appliance is a combination of a quick-releasing valve of the mechanical type with an actuating mechanism of the electric type, equipped with remote controls. The quick releasing valve is 6 in. in size and consists of a body, a clapper capable of movement horizontally, a lever mechanism for holding the clapper in the closed position, consisting of two levers and a yoke in which is threaded an adjusting screw; and a housing or enclosure for protecting the external mechanism of the valve.

The cast-iron valve body encloses the clapper and its seat ring, entrance to these parts being gained through a circular hand-hole at the side. The clapper is guided and supported by a centrally-located bronze stem on one side, and by three bearing arms or prongs formed integrally with the clapper and symmetrically located about the inner diameter of the clapper ring, on the other side of the clapper. The clapper when seated divides the valve body into two chambers, an inlet chamber directly connected to the supply piping, and a discharge chamber connected to the system piping, the outlet from this chamber being at an angle of 90 deg. with the inlet from the supply piping.

The clapper is held closely against the service pressure by the thrust of an adjusting screw exerted on the centrally-located clapper stem. The bronze mem-

MINUTES

ber into which the adjusting screw is threaded contacts with two bearing surfaces, the upper one being stationary and formed integrally with a bracket on which the Derby Electric Release Box is fastened and which is bolted to a cast-iron cover plate covering the opening into the valve body through which the clapper is assembled. The lower bearing is movable and formed integrally with a link or lever secured by means of a bronze hinge pin to the above-mentioned cover plate. The link has a cast-iron weight lever pinned to it at its outer end by means of a bronze hinge pin. The weight lever is provided with a bronze hook at its outer end, which is used to suspend the lever from the operating hook of the Derby Electric Release Box.

The actuating or releasing mechanism—Derby Electric Release—composed of a system of levers, magnet coils and armature, is mounted in a cast-iron box which is bolted to a bracket mounted on the front cover plate of the valve, and is under a closed circuit electrically supervised alarm system.

The manual control switches in the form of break-glass firm alarm boxes protected by a sheet metal case are installed near each hose valve on the standpipe equipment. The switches are connected to the control board which in turn operates the release, the wiring being installed in standard electric conduit secured to walls and ceilings.

Operation:

Breaking of the glass in the break-glass alarm box causes the magnet coils in the Derby Electric Release Box to be energized resulting in the tripping of the valve. Then the exterior lever of the Derby Release trips, the lever mechanism of the valve is allowed to drop and disengagement of these parts removes from the clapper stem and clapper the stress exerted by the adjusting screw, and permits the water under pressure to move the clapper to the open position. Water enters the valve, passes to and fills the piping, and also passes to and actuates the alarm devices.

A bronze, gravity-operated latch supported on the exterior of the front cover plate engages with a notch formed on the clapper stem when the clapper is in the wide open position for the purpose of preventing re-seating of the clapper should a reversal in the direction of flow through the valve occur.

It was claimed that the valve will operate at a pressure of 25 lbs., but the area of valve indicates that it would operate at a pressure as little as 10 lbs. per sq. in.

The appliance has been approved by the Underwriters Laboratories Extinguisher #729.

Recommendations.

On the basis of this inspection and test the Committee recommends the approval under C26-191.0, Administrative Building Code, of the Derby Type B Electrically Operated Remote Control Valve for Standpipe and Sprinkler System when installed and operated in accordance with this report and the provisions of Chapter 26, Article 16, Sprinkler Systems and Article 17, Standpipe Systems of the Administrative Code and the Sprinkler and Standpipe Rules of the Board of Standards and Appeals, and that all electrical work be approved by the Fire Department and be installed in accordance with the Interior Fire Alarm Rules of the Board of Standards and Appeals and provided further that the appliance bears a label permanently affixed, reading "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 781-42-SA.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Derby Type B Electrically Operated Remote Control Valve for Standpipe and Sprinkler Systems, on condition that the appliance be manufactured, installed, and labelled, stamped or tagged in accordance with the above report.

Adjourned: 4:40 P. M.

JOSEPH J. DOYLE, Chief Clerk.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 3, 1939, EFFECTIVE, IN ACCORDANCE WITH SECTION 666, PARAGRAPH 2, OF THE NEW YORK CITY CHARTER, FEBRUARY 27, 1939, AS AMENDED DECEMBER 4, 1942, EFFECTIVE DECEMBER 28, 1942.

(835-38-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2 of the New York City Charter pertaining to Sections C26-1268.0,c,4, and C26-1277.0h. of the Administrative Building Code.

Rule 1. Vacuum Breakers.

All vacuum breakers prescribed under these rules shall be set at least four inches above the flood level rim of fixtures or as otherwise specifically provided for in these rules. Each fixture with submerged inlets shall be independently controlled by an approved vacuum breaker or breakers the full size of supply pipe, as set forth in these rules.

Rule 2. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the flood level rim of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture, or as otherwise provided for in these rules.

Water supply lines to water preheating apparatus utilizing waste water shall be equipped with an approved vacuum breaker located at least four feet above the highest elevation of the preheating apparatus or coil, with a check valve between the vacuum breaker and the preheating apparatus. Any hot water boiler supplied through such preheating device and having an independent cold water supply line shall have the cold water supply line equipped with a vacuum breaker and check valve located at least four inches above the highest elevation of the boiler.

Rule 3. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly or indirectly from the City Water Supply System, shall be equipped with an approved vacuum breaker in the supply line not less than four inches above the flood level rim of the fixture.

Rule 4. Ballcocks.

All flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than three-quarter inch above the overflow outlet of the flush tank.

Ballcocks controlling water supply to suction, roof or other intermediate tanks shall be located at least one inch above the flood level rim of the tank excepting that in roof tanks equipped with an overflow of a size at least one commercial diameter larger than the water supply pipe, the ballcock may be located two inches above the highest elevation of the overflow pipe. The overflow and emptying pipes of roof, suction and intermediate tanks shall not be directly connected to a drainage system, notwithstanding the permissive provisions of Section C26-1273.0,d of the Administrative Building Code for connection to a leader.

Rule 5. Sterilizers.

Direct water supply connections to all sterilizers are prohibited, except such equipment as is approved

by the Board. When approved sterilizers are used the waste piping from sterilizers shall not connect directly with any drainage system.

Rule 6. Aspirators—Water Siphons.

Direct water supply connections to aspirators, water siphons or similar apparatus is prohibited except when approved by the Board. The waste pipe for this type of apparatus shall not connect directly with any drainage system.

Rule 7. Bidets—Bed Pan Washers.

Direct water supply connection to a bidet is prohibited. Water supply connection to bed pan washers or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker. Water supply to bed pan washers equipped with an approved flush valve shall be governed by Rule 3.

Bed pan washers may be equipped with steam connections only when such equipment has been approved by the Board.

Rule 8. Sump or Well Pumps.

Direct water supply connections for priming purposes to sump, well or similar type pumps when permitted by the Department of Water Supply, Gas and Electricity shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tanks containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation. Direct water connection is prohibited under Section C26-1223.0 Administrative Building Code.

Rule 10. Mortuary, Dissection, Operating and Embalming Tables or Equipment.

Mortuary, dissection, operating and embalming tables or equipment shall have no direct water supply connection. Hose used with such equipment shall terminate at least 12 inches at any point from the table or attachments.

RULES

Rule 11. Dishwashing and Laundry Machines.

Direct water supply to dishwashing and laundry machines shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the fixture. The vacuum breaker shall be located at least 4" above the highest elevation of the machine.

Rule 12. Chemical Solution Tanks or Apparatus.

Direct water supply connections, when permitted by the Department of Water Supply, Gas and Electricity, to any tank or apparatus containing any chemical shall be equipped with an approved vacuum breaker and a check valve located between the vacuum breaker and the tank or apparatus.

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals, August 12, 1918.

Rule 1. Permit.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the Administrative official. It shall be the joint and several duty of the owner and the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and shall not again issue a permit for the same premises until at least one year has elapsed.

Rule 2. Permissible Cases.

Smoking may be permitted in:

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by selfclosing fire doors, and further, unless the building is of fireproof construction or provided with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

THE BUILDING LAWS

Now on Sale

THE VARIOUS BUILDING LAWS OF THE CITY OF NEW YORK ARE NOW published in FOUR SEPARATE VOLUMES, consisting of matters affecting or relating to the construction, maintenance, alteration, demolition or removal of structures and buildings in the City of New York; including excerpts from the STATE LABOR LAW, the PLUMBING CODE, ELEVATOR RULES, THE NEW YORK CITY CHARTER, the complete BUILDING CODE OF THE CITY OF NEW YORK; the MULTIPLE DWELLING LAW, the STATE PLASTERING LAW, various local laws, and building and construction rules and regulations adopted by various City and State agencies.

These volumes are now ON SALE at the office of the Supervisor of the City Record, ROOM 2213, MUNICIPAL BUILDING, MANHATTAN, NEW YORK CITY. The price for the complete set of four volumes is \$4 (\$4.10 by mail), single volumes each containing certain parts of the above described legislation, \$1 (by mail \$1.10).

RULES

RULES FOR TESTS OF FIRE-RESISTIVE, FLAMEPROOFED MATERIALS, SUCH AS TEXTILES, PAPER, SIMILAR MATERIALS AND ADHESIVES USED FOR DECORATIVE PURPOSES AND TREATED ACOUSTICAL DRAPERIES, CARPETS AND SIMILAR MATERIALS FOR USE IN PLACES OF PUBLIC ASSEMBLY AND SPECIAL OCCUPANCY STRUCTURES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS MAY 3, 1940. EFFECTIVE, IN ACCORDANCE WITH SECTION 665, SUBDIVISION C, OF THE NEW YORK CITY CHARTER, MAY 27, 1940.

[Cal. No. 294-40-SR]

AUTHORITY:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and Section C26-721.0b (12.2) as amended by Local Law No. 170, approved November 14, 1939, and Section C19-161.1 Local Law No. 112, approved July 18, 1939.

1.0 SCOPE.

These requirements apply to flameproofed combustible materials used for decorative or other purposes within special occupancy structures as defined in Section C26-715.0 (12.1.1) and other places of public assembly as provided in Section C-19-161.0, which was amended by Local Law No. 112.

2.0 GENERAL REQUIREMENTS.

It shall be unlawful for any person to use any decorations, drape, curtain or scenery used for artistic enhancement which is made of combustible material, unless painted or saturated with a non-combustible material or liquid or otherwise rendered safe against fire to the satisfaction of the Fire Commissioner and in accordance with the requirements of these Rules, in any building of a public character, including a hotel, theatre, restaurant, public hall, department store, and a building used or intended to be used for purposes of public assembly, amusement or instruction, and a building where large numbers of persons congregate (See Section C19-161.1) except as exempted in Rule 7.

After flameproofing, such processing as ironing, sewing and normal handling shall have no detrimental effects on the treatment of the material.

3.0 APPROVAL OF MATERIALS AND METHODS USED IN FLAMEPROOFING TEXTILES, ETC.

3.1 No materials or methods for flameproofing combustible materials for use under these Rules shall be used unless approved by the Board.

4.0 FLAMEPROOFING PROPERTIES.

The flameproofed material, when subjected to the test described in Rule 5.0, shall meet the following requirements as to fire-retardant properties.

4.1 FLASHING—No flashing shall occur at any time on the length of the test specimen. A flashing due to fuzz or bad edges may be disregarded.

4.2 DURATION OF FLAME—The average continuation of flaming shall not exceed 3 seconds.

4.3 DURATION OF GLOW—The average continuation of glow at the edge of the charred area shall not exceed an additional twenty seconds after the cessation of flaming. Glow confined to the charred area may be disregarded.

5.0 TESTS.

Tests for each specific installation of originally treated combustible material, or any re-tests thereof, shall be made by the Fire Commissioner, or in a laboratory approved by him, in accordance with the requirements of these Rules.

5.1—SAMPLING FOR TEST SPECIMENS—

Samples of each variety of material and for every kind of treatment shall be subject to separate tests. Samples shall be of sufficient size to furnish test specimens provided for in Rule 5.2. At least three samples shall be furnished for every 500 square feet or fraction thereof.

5.2—TEST SPECIMENS—Specimens for test shall be 2 in. wide and 12½ in. long and shall be numbered on one end. Test specimens shall be carefully cut from at least three different places in the material to provide a minimum of three test specimens from each material for testing.

5.3 CONDITIONING OF TEST SPECIMENS—

The test samples or test specimens shall be dried for 24 hours in a room of average temperature of 70° F., with an average humidity of 40%.

5.4 TEST FOR PERMANENCE OF CHEMICALS—Test specimens shall be suspended by folding and pinning one-half inch of the numbered end over a horizontal 8-gauge wire, placed two inches above the center of a 7-inch opening in a 3 ft. wind tunnel arranged to deliver a wind velocity to the air, at the tunnel end, of 700 lineal feet, plus or minus 50 ft. per minute, as measured by a suitable anemometer on a line with the wire. In this position the test specimens shall be whipped for five minutes. Immediately upon conclusion of this test, the specimens shall be placed in a closed dry container until required for the flame test.

5.5 APPARATUS FOR FLAME TEST—The apparatus shall consist of a ring stand 20 inches high with an adjustable clamp housed in a metal shield 12 inches square and 20 inches high, open in front and at both ends and a Bunsen or Tirrill gas burner which shall have a tube of ⅜-inch inside diameter.

5.6 FLAME TEST—A whipped test specimen shall be taken from the closed container required in Rule 5.4 and suspended vertically with one-half inch of the numbered end in a clip held in a clamp on the ring stand so that the test specimen shall hang vertically within and near the center of the metal shield required in Rule 5.5. The lower end of the test specimen shall be three-quarters of an inch above the top of the gas burner on which the air supply is shut off completely and adjusted to give a luminous flame 1½ inches long. The flame shall be applied for 12 seconds, then withdrawn. The result of the test for duration of flame and duration of glow of the three test specimens shall each be averaged and recorded. Flashing, if any, shall be noted.

6.0 APPROVAL AND CERTIFICATION.

The approval of materials that have been flameproofed, as provided in Rule 1.0 and tested as required in Rule 5.0 with flameproofing properties as given in Rule 4.0, shall be limited to one year. An affidavit by the person, firm or corporation flameproofing the combustible materials shall be filed with the Fire Commissioner stating that the flameproofing compound and method complies with the approval of the Board, with calendar number thereof, and including the date of treatment and warranted period of effectiveness of the flameproofing.

6.1 The Fire Commissioner may require check tests at any time. Upon the termination of the approval, as provided for in Rule 6.0, a retest of the flameproofed combustible materials shall conform to the following:

Flameproofed materials shall withstand a test of at least 400° F., as measured by a pyrometer, or other acceptable method, for approximately one-minute's duration by means of an open flame. Under such test, the flameproofed material shall not flash or support combustion and shall not glow outside of the char if a char is set up by the open flame. Material found not to conform to these requirements, shall be removed and replaced with materials conforming to the requirements of Rule 4.0.

7.0 EXEMPTION.

These Rules shall not be construed to apply to merchandise for sale or displayed for sale, to guest rooms in hotels, to offices, to works of art in museums, nor to churches or places of religious worship.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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No. 51

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

COURT DECISION.

Matter of Golden City Park Corp'n. v. Board of Standards and Appeals:—On December 13, 1938, the Board granted an appeal by the Department of Parks, City of New York, and revoked Building Permit No. 9905-38 issued by the Borough Superintendent October 11, 1938, under Calendar No. 981-38-A, premises 2130-2140 Rockaway parkway, S. E. Cor. Schenck ave., Borough of Brooklyn, on the ground that the building as removed to a new location within a business use district and, therefore, within the fire limits, could no longer be classified as an amusement device inasmuch as there was no longer any amusement equipment as formerly installed in previous location; that the permit issued contravened the provisions of C26-252.0 and C26-247.0; that the provisions of Section C26-543.0 could not be relied upon as permitting this building on a temporary basis because of "unusual character" as building could be readily adapted to other business uses not permitted in a frame building or in a residence zone to which the area had been changed prior to any work being done; that permit should have been rescinded upon effective date of zoning change—Nov. 17, 1938. (Bulletin No. 51, Volume XXIII.)

Mr. Justice Johnson annulled Board's decision and reinstated permit (N. Y. L. J. June 19, 1941).

On reargument, Mr. Justice Johnson modified text of the opinion but adhered to decision (N. Y. L. J. July 1, 1941). Appellate Division reinstated and confirmed Board's determination (N. Y. L. J. December 9, 1941).

Court of Appeals affirmed Appellate Division, stating "There is evidence sufficient to support the findings that the structure in question was not an 'amusement device' within the meaning of the Administrative Code. We pass upon no other question." (N. Y. L. J. December 4, 1942.)

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Building in the Bed of Mapped Streets.

Docket.

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Minutes of Regular Meeting December 15, 1942, at 2 P. M., Affecting Calendar Numbers 1078-24-BZ, 480-37-BZ, 573-37-BZ, 1044-41-BZ, 647-42-BZ, 110-37-BZ, 28-40-BZ, 474-41-BZ, 619-41-BZ, 848-41-BZ, 791-42-A, 824-42-A, 863-42-S, 605-43-A, 703-42-A, 844-42-A, 632-42-A, 650-42-A, 691-42-S, 700-42-A, 718-42-A, 830-42-A, 857-42-A, 407-42-A, 187-35-A, 170-40-A, 675-41-A, 221-34-SA, 1076-39-SM, 443-41-SA and 681-42-SM.

BUILDING IN THE BED OF MAPPED STREETS.

It has not been generally understood that permits could not be lawfully issued for buildings or uses in the bed of mapped streets, even where land for such mapped streets is still in private ownership and not as yet acquired by the City without a variance granted by the Board of Standards and Appeals.

Licensed City Surveyors and the Topographical Departments of the several Boroughs should exercise care in certifying to mapped conditions inasmuch as the administrative departments and owners rely on such information and, accordingly, it should be correct and in conformity with the City Map.

The Commissioner of the Department of Housing and Buildings has adopted a desirable regulation in an effort to avoid errors. This regulation was published in the City Record on December 4, 1942, and reads as follows:

"Department of Housing and Buildings.
Regulation Relating to Property Survey
(Filed with City Clerk November 30, 1942)

A real property survey required to be filed in connection with an application for approval of a proposed new building or other structure or a proposed addition to an existing building or other structure shall clearly indicate any mapped street or streets in the bed of which the proposed construction or any part thereof would be located and any building line or lines of such property

CALENDAR

which would be re-located if any proposed street widening or mapped street indicated on the City Map were effected.

The width of each street on which the property fronts and the width of each such street, which is indicated on the City Map as proposed, shall be clearly indicated on the survey.

Such surveys shall be by a City Surveyor or other licensed surveyor.

This rule shall be effective November 23, 1942.

WILLIAM WILSON, Commissioner."

Procedure as to obtaining permission to build within the bed of a mapped street is established by Section 35 of the General City Law, which became effective April 30, 1926, by the adoption by the Legislature of this section by Chapter 690 of the Laws of 1926. The section reads as follows:

"Section 35. *Permits for building in bed of mapped streets.* For the purpose of preserving the integrity of such official map or plan no permit shall hereafter be issued for any building in the bed of any street or highway shown or laid out on such map or plan, provided, however, that if the land within such mapped street or highway is not yielding a fair return on its value to the owner, the board of appeals or any other similar board in any city which has established such a board having power to make variances or exception in zoning regulations shall have power in a specific case by the vote of a majority of its members to grant a permit for a building in such street or highway which will as little as practicable increase the cost of opening such street or highway, or tend to cause a change of such official map or plan, and such board may impose reasonable requirements as a condition of granting such permit, which requirements shall inure to the benefit of the city. Before taking any action authorized in this section, the board of appeals or similar board shall give a hearing at which parties in interest and others shall have an opportunity to be heard. At least fifteen days' notice of the time and place of such hearing shall be published in an official publication of said city or in a newspaper of general circulation therein. Any such decision shall be subject to review by certiorari order issued out of a court of record in the same manner and pursuant to the same provisions as in appeals from the decisions of such board upon zoning regulations."

DOCKET.

New Cases Filed up to December 15, 1942.

<i>Cal. No.</i>	<i>Dept.</i>	<i>Premises Affected.</i>
857-42-A	H.B.Q.	11-49 44th road, north side, 89 ft. 8 5/8 in. west of 21st street and 13-02 44th avenue (Block No. 446, Lot No. 10), Long Island City, Borough of Queens, M-Applic. 5956-42.

858-42-A—F.D.—695 Park avenue, east side, from East 68th to East 69th streets, 57 East 68th street and 54 East 69th street (Block No. 1403, Lot No. 1), Borough of Manhattan, Order and Decision.

859-42-A—F.D.—Re Packaging of inflammable mixture known as "Energene Lighter Fluid" in 8 oz. bottles (capacity of bottles not in conformity with Administrative Code Specifications), Decision.

860-42-SA—Climax Water Sterilizer, Appliance.

851-42-A—F.D.—Re Packaging of inflammable mixture known as "Benzique Lighter Fluid" in 6 oz. glass bottles (capacity of bottles not in conformity with Administrative Code Specifications), Decision.

862-42-A—F.D.—68 Jay street, west side, between Front and Water streets (5th floor, Building No. 5); (Block No. 40, Lot No. 1), Borough of Brooklyn, 8552-L. F. and Decision.

863-42-S—F.D.—34-50 Varick street, east side, 99 ft. south of Laight street (cellar, 1st and 2nd stories); (Block No. 212, Lot No. 9), Borough of Manhattan, 16180-L. F. and Decision.

864-42-A—F.D.—753-759 Seventh Avenue and 154-166 West 50th street, southeast corner (Block No. 1002, Lot No. 61), Borough of Manhattan, 13677-L. F. and Decision.

865-42-A—H.B.Bx.—4555 Third avenue, southwest corner of Lorillard place and 539-545 East 184th street (Block No. 3052, Lot No. 37), Borough of The Bronx, Amendment to Alt. 367-42.

866-42-A—F.D.—Re Packaging of inflammable mixture known as "Gulflex Rubberlube" in one-half gallon glass jugs (capacity of glass jugs not in conformity with Administrative Code Specifications), Decisions.

867-42-A—H.B.M.—373 Lexington avenue and 128 East 41st street, southeast corner (Block No. 1295, Lot No. 50). Borough of Manhattan, Alt. 1388-42.

868-42-SA—Wagner Type C Elevator Door Closer, with Electric Interlock and Rack and Pawl, Wagner Type CL Zone Control Door Closer with Electric Interlock, Wagner Type C Elevator Door Closer (when closed with other types of approved Electric-Mechanical Interlocks on Automatic Push-Button Control Elevators), Wagner Type BI Electric-Mechanical Barlock Interlock, Wagner Type BIL Electric-Mechanical Barlock Interlock with zone control device, Appliances.

869-42-SA—Wagner Type C Emergency Release Switch, Appliance.

870-42-SA—Wagner Type CS Car Door or Car Gate Contact Switch (for use with either car-switch or automatic Push-Button control Elevators), Appliance.

871-42-SA—Wagner Type SS-A-4 Master Electric Car and Corridor Door Operator (for use on car switch-control Elevators), Wagner Type SS-A-3-A Master Electric Operator with Door Closer and Electric Interlock (for use on car switch-control Elevators), Wagner Type SS-A-3-B Master Electric Interlock with Wagner Zone Control Door Closer and Electric Interlock (for use on automatic Push-Button control Elevators), Wagner Type SS-A-5 Master Electric Operator (for use with other types of approved

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Master Electric Operator (for the operation of car doors or gates), Appliances.

Electric-Mechanical Interlocks) and Wagner Type SS-A-2

372-42-A—H.B.Q.—43-22 Queens street, west side, 200 ft. south of Jackson avenue and 43-17 Dutch Kills street, east side, 138 ft. south of Jackson avenue (Block No. 266, Lot No. 3), Long Island City, Borough of Queens, Alt. 849-42.

373-42-A—F.D.—240 Kent avenue, southwest corner of North First street (Block No. 2377, Lot No. 11), Borough of Brooklyn, Decision re 92359-L. C.

374-42-A—H.B.Q.—43-01 to 43-21 39th street and 39-02 to 39-10 43rd avenue, southeast corner (Block No. 191, Lot No. 20), Long Island City, Borough of Queens, Alt. 728-42.

375-42-A—F.D.—599 Tenth avenue, west side, 50 ft. north of West 43rd street (Block No. 1072, Lot No. 32), Borough of Manhattan, 32680-L. C.

Restored to Calendar.

380-37-BZ—H.B.M.—21-25 Union Square West, west side, 52 ft. north of East 15th street (Block No. 843, Lot Nos. 22 and 25), Borough of Manhattan, Decision re Certificate of Occupancy.

373-37-BZ—H.B.M.—158-176 Columbus avenue 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan, Decision re Certificate of Occupancy.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

	Last Publication in Bulletin	
Blended Cements, Rules for Testing and Use of	Nov.	24, 1942—Vol. 27, No. 47
Carbon Dioxide Liquefier, Rules	Mar.	10, 1942—Vol. 27, No. 10
Certificates of Occupancy, approved form	Nov.	25, 1941—Vol. 26, No. 47
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture, Testing and Use of	June	24, 1941—Vol. 26, No. 25
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 0
Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	Nov.	17, 1942—Vol. 27, No. 46
Fire Alarm Rules (Interior)	Apr.	7, 1942—Vol. 27, No. 14
Fire Drill Rules	Aug.	4, 1942—Vol. 27, No. 31
Fire-resistant, Flameproof Materials, etc., Rules for Testing of	Dec.	15, 1942—Vol. 27, No. 50
Fire Retarding Rules for Garages, etc.	Dec.	16, 1941—Vol. 26, No. 50
Fireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	May	20, 1941—Vol. 26, No. 20
Gas Shut Off Rules	Apr.	7, 1925—Vol. 10, No. 14
Latchway Protection	June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Sept.	22, 1942—Vol. 27, No. 38

Last Publication in Bulletin

Oil Burner Rules	Sept.	1, 1942—Vol. 27, No. 32
Opening Protective Assemblies, Rules for Inspection of	July	28, 1942—Vol. 27, No. 30
Paint, Varnish and Lacquer Spraying Rules	Sept.	8, 1942—Vol. 27, No. 36
Platform Trucks, Specifications for	Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Dec.	15, 1942—Vol. 27, No. 50
Procedure, Rules of	Sept.	7, 1937—Vol. 22, No. 30
Refrigerating Systems, Extract A.C.	Aug.	26, 1941—Vol. 26, No. 34
Smoking in Factories, Rules for	Dec.	8, 1942—Vol. 27, No. 49
Sprinkler Rules	June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fireline Hose Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Burners for Industrial Use	Nov. 25, 1941—Vol. 26, No. 47A
Fuel Oil Pumps	Nov. 25, 1941—Vol. 26, No. 47A
Gas Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Paint, Varnish and Lacquer Spraying Equipment	Nov. 25, 1941—Vol. 26, No. 47A
Range Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Vacuum Breakers	Nov. 10, 1942—Vol. 27, No. 45

DECEMBER 22, 1942, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, December 22, 1942*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

903-25-BZ—Application of Lama and Proskauer, applicants on behalf of Rose Rolland, owner, reopened November 5, 1941, under section 7f of the zoning resolution, to permit in a business use district, for a term of ten (10) years, the use of a two (2) story and basement building, as a garage for more than five (5) motor vehicles; the Board having previously granted a one (1) story garage for more than five (5) motor vehicles on the premises in question; premises 823-829 Classon avenue, east side, 47 ft. north of Lincoln place (Block No. 1178, Lot No. 3), Borough of Brooklyn.

578-42-BZ—Application, July 15, 1942, under sections 7h and 21 of the zoning resolution, of Arnold W. Lederer, applicant, on behalf of Buoniello Holding Company, Incorporated, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and, also, the continuance of the use of part of the plot for the display and sale of used cars; premises 6802-6810 Fort Hamilton parkway, southwest corner of 68th street (Block No. 5771, Lot No. 6), Borough of Brooklyn.

750-42-BZ—Application, October 22, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Sarah Shapiro, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 876 St. Nicholas avenue, east side, 114 ft. 10 in. north of West 153rd street (Block No. 2069, Lot No. 46), Borough of Manhattan.

177-33-BZ—Application of Lama and Proskauer, applicants, on behalf of Joseph Gross, owner, reopened July 28, 1942, under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a

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gasoline service station, motor vehicle repair shop, auto laundry, lubricatorium and office (previously denied re gasoline service station re Lot No. 42); premises 1510-1522 Rockaway parkway and 9616-9626 Flatlands avenue, southwest corner (Block No. 8204, Lot Nos. 42 and 44), Borough of Brooklyn.

669-42-BZ—Application, September 11, 1942, under sections 7f and 21 of the zoning resolution, of Wing Holding Corporation, applicant and owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 40-11 Skillman avenue, north side, 545.51 ft. west of 43rd street (Block No. 183, Lot No. 290), Long Island City, Borough of Queens.

805-42-BZ—Application, November 18, 1942, under section 7c of the zoning resolution, of A. H. Salkowitz, applicant, on behalf of Terminal Garage, Incorporated, owner, to permit partly in an unrestricted use district and partly in a business use district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles (buses) and also, as a motor vehicle repair shop; premises 54-47 74th street, northeast corner of 57th avenue (Block No. 2805, Lot Nos. 10, 142 and 151), Maspeth, Borough of Queens.

Appeal from Administrative Decision.

840-42-A—54-47 74th street, northeast corner of 57th avenue (Block No. 2805, Lot Nos. 10, 142 and 151), Maspeth, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 22, 1942, 2 P. M.

Appeals from Administrative Decisions.

645-42-A—212-214 Water street, west side, 87 ft. 4 in. south of Beekman street (Block No. 95, Lot No. 3), Borough of Manhattan.

627-42-A—216 Linwood street, west side, 100 ft. south of Arlington avenue (Block No. 3941, Lot No. 14), Borough of Brooklyn.

618-42-A—38-12 27th street, north side, 85 ft. west of 38th avenue (Block No. 387, Lot Nos. 23 and 24), Long Island City, Borough of Queens.

738-42-A—1265-1269 39th street, north side, 120 ft. west of 13th avenue (Block No. 5294, Lot No. 46), Borough of Brooklyn.

824-42-A—579 Fifth avenue, northeast corner of East 47th street (Block No. 1283, Lot No. 1), Borough of Manhattan.

863-42-S—34-50 Varick street, east side, 99 ft. south of Laight street (Block No. 212, Lot No. 9), Borough of Manhattan.

267-42-S—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn.

796-42-A—101 Greene street, west side, 244 ft. 10 in. north of Spring street (Block No. 500, Lot No. 28), Borough of Manhattan.

722-42-A—2515 Grand Concourse, west side, 106.34 ft. north of East Fordham road (Block No. 3167, Lot No. 76), Borough of The Bronx.

670-42-A—2797 Third avenue, west side, 200 ft. south of East 148th street (Block No. 2327, Lot No. 28), Borough of The Bronx.

875-42-A—599 Tenth avenue, west side, 50 ft. north of West 43rd street (Block No. 1072, Lot No. 32), Borough of Manhattan.

Materials for Approval.

483-42-SM—Verplanck Limestone New York Trap Rock Corporation.

94-39-SM—Drilled-in Caissons as installed by the Drilled-in Caisson Corporation.

JANUARY 5, 1943, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provision of the zoning resolution, *Tuesday morning, January 5, 1943* at 10 o'clock in Room 1013, Municipal Building, Manhattan on the following matters:

382-42-BZ—Application, May 11, 1942, under section 7f of the zoning resolution, of Ervin Palmer, applicant, on behalf of General Baking Company, owner (C. Solomon Mayer, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 530-540 East 81st street and 28-34 East End avenue, southwest corner (Block No. 1577, Lot No. 27), Borough of Manhattan.

749-42-BZ—Application, October 22, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Sarah Shapiro, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 756 St. Nicholas avenue, east side, 437 ft. 8 in. south of West 150th street (Block No. 2053, Lot No. 125), Borough of Manhattan.

45-42-BZ—Application, January 20, 1942, under section 7c of the zoning resolution, of Lania and Proskauer, applicants, on behalf of Samuel Schenkel, owner, to permit in a business use district, the alteration of and also the erection of a new accessory building on an existing gasoline service station; premises 4313-4323 Fourth avenue and 401-405 44th street, northeast corner (Block No. 729, Lot No. 1), Borough of Brooklyn.

426-42-BZ—Application, May 25, 1942, under sections 7f and 7h of the zoning resolution, of Nathan Weissberg, applicant, on behalf of Lenore Realty Corporation, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 695-699 Utica avenue, east side, 50 ft. south of Clarkson street (Block No. 4637, Lot No. 44), Borough of Brooklyn.

537-42-BZ—Application, July 22, 1942, under section 2 of the zoning resolution, of Michael Glick, applicant, on behalf of Dorothy R. Siegal, owner, to permit in a business use district, the conversion of occupancy of part of an existing building to a motor vehicle repair shop; premises 55 East 149th street and 555 St. Ann's avenue, northwest corner (Block No. 2276, Lot No. 57), Borough of The Bronx.

810-42-BZ—Application, November 18, 1942, under sections 7a, 7c and 21 of the zoning resolution, of Abraham Farber, applicant, on behalf of Menford Realty Corporation, owner, to permit in a residence use district, the alteration and extension of a factory building—by the erection of third (3rd) story; premises 1-27 Montauk avenue and 3144 3166 Atlantic avenue, southeast corner and 2-40 Milford street (Block No. 3976, Lot Nos. 25 to 48, inclusive), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

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JANUARY 5, 1943, 2 P. M.

Appeal from Administrative Decision.

304-42-A—41-06 DeLong street, west side, 6 ft. east of Port Washington Division of Long Island Railroad (Block No. 5066, Lot No. 255), Flushing, Borough of Queens (under section 35, General City Law—re bed of mapped street—41st avenue).

JANUARY 12, 1943, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, January 12, 1943*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:

539-42-BZ—Application of Edwin H. Thatcher, applicant, on behalf of Polytechnic Institute of Brooklyn, owner, reopened and restored to calendar, December 8, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn re Lot Nos. 11 and 22); premises 275-299 Fifth street, north side, 97 ft. 10½ in. east of Fourth avenue (Block No. 984, part of Lot No. 11), Borough of Brooklyn.

37-42-BZ—Application of AAA Properties, Incorporated, applicant and owner, reopened December 8, 1942 by order of the court—re Application, previously denied by the Board, under section 7h of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3856-3872 Ninth avenue, west side, between West 206th and West 207th streets (Block No. 2203, Lot No. 21), Borough of Manhattan.

377-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant, on behalf of Crew Levick Corporation, owner (Joseph E. Johnston, lessee), to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

1261-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, reopened May 26, 1942, under section 7c of the zoning resolution, to permit partly in a business use and partly in a residence use district, the parking and storage of more than five (5) motor

vehicles upon a plot occupied as a gasoline service station (previously withdrawn); premises 2701-2711 Fort Hamilton parkway and 1358-1368 Prospect avenue, northwest corner (Block No. 5284, Lot No. 64), Borough of Brooklyn.

987-41-BZ—Application, November 14, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station; premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

Appeal from Administrative Decision.

792-42-A—796-804 Utica avenue and 736-746 Linden boulevard, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn, Misc. 8575-41.

HARRIS H. MURDOCK, *Chairman*

JANUARY 19, 1943, 10 A. M.

Zoning Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning January 19, 1943*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

480-37-BZ—Application of John R. Davies, applicant, on behalf of Wendel Foundation and Phelps Estate, Incorporated, owners (Arco Stations, Incorporated, lessee), reopened December 15, 1942 for consideration as to extension of permit (said permit having expired by limitation)—re Application, previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in an restricted use district, for a temporary period of two (2) years, the transient parking of more than five (5) motor vehicles; premises 21-25 Union Square West, west side, 52 ft. north of East 15th street (Block No. 843, Lot Nos. 22 and 25), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 19, 1943, 2 P. M.

Appeal from Administrative Decision.

791-42-A—165 West 71st street, north side, 130 ft. 5 in. east of Broadway (Block No. 1143, Lot No. 7½), Borough of Manhattan.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, DECEMBER 15, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, December 8, 1942, and Tuesday afternoon, December 8, 1942, were approved as printed in Bulletin No. 50. Vol. 27.

ZONING CASES.

1261-39-BZ.

APPLICANT—Lama and Proskauer, for Gulf Oil Corporation, owner.

SUBJECT—Application reopened May 26, 1942 (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in a business use and partly in a residence use district, the parking and storage of more than five (5)

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motor vehicles upon a plot occupied as a gasoline service station (previously withdrawn).

PREMISES AFFECTED—2701-2711 Fort Hamilton parkway and 1358-1368 Prospect avenue, northwest corner (Block No. 5284, Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Charles McCulley.

For Opposition: Harold Klorfein, Dep't of Parks, Mrs. L. Silver, Sydelle Berley, Joseph P. Devery, Gustave Goldman, Board of Education, Councilman McCarthy and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 12, 1943 at 10 A. M., for inspection by a Committee of the Board. No further argument.

987-42-BZ.

APPLICANT—Louis A. Kiesewetter, for Texas Company, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station.

PREMISES AFFECTED—736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 12, 1943 at 10 A. M., on request of applicant's representative. Additional plans to be submitted.

577-42-BZ.

APPLICANT—George H. Cohn, for Crew Levick Corp., owner (Joseph E. Johnston, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1 Bay Ridge avenue and 6833 Shore road, northwest corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: George T. Cohn.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 12, 1943 at 10 A. M., for further consideration by the Board.

578-42-BZ.

APPLICANT—Arnold W. Lederer, for Buoniello Holding Company, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and, also, the continuance of the use of part of the plot for the display and sale of used cars.

PREMISES AFFECTED—6802-6810 Fort Hamilton parkway, southwest corner of 68th street (Block No. 5771, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 22, 1942 at 10 A. M., for inspection by a Committee of the Board. No further argument.

772-42-BZ.

APPLICANT—Maurice G. Usan, for Durkee Marine Products Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit upon a plot located partly in a manufacturing use and partly in an unrestricted use district, the maintenance of an extension to a building used as a foundry.

PREMISES AFFECTED—2053 Clove road, southeast corner of Mosel avenue (Block No. 2921, Lot Nos. 18 and 23), Grasmere, Borough of Richmond.

APPEARANCES—

For Applicant: William McDevit, Charles H. Durkee and William L. Smith.

For Opposition: Jane W. Race, Mary Hickey, Mrs. Levy and Mr. Chagnon.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn

Negative:

THE RESOLUTION (772-42-BZ)

WHEREAS, Maurice G. Usan, for Durkee Marine Products Corporation, owner, filed November 4, 1942, an application under section 7c of the zoning resolution, to permit upon a plot located partly in a manufacturing use and partly in an unrestricted use district, the maintenance of an extension to a building used as a foundry; premises 2053 Clove road, southeast corner of Mosel avenue (Block No. 2921, Lot Nos. 18 and 23), Grasmere, Borough of Richmond; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 15, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Clove road is in a manufacturing, business and retail use district; Mosel avenue is in an unrestricted, manufacturing and business use district; and Darian street is in an unrestricted and manufacturing use district and

WHEREAS, the decision of the borough superintendent, on N. B. Application No. 585-42, dated October 7, 1942, reads

"1. Contrary to Sect. 4-F, zoning resolution to use buildings or premises as a foundry, see Sect. 4.19 zoning resolution, Sect. 4-F is a manufacturing district."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of approximately 132 ft. on Clove road; 200 ft. on Mosel avenue and 126 ft. on Darian street; that the westerly part of the plot (for a depth of 100 ft.) is located in a manufacturing use district (as rezoned from unrestricted use in January, 1942)—the remainder of the plot is in an unrestricted use district—used for metal manufacturing and foundry, and also the northerly part of the plot (having a frontage of 28 ft. on Clove road and 200 ft. on Mosel avenue), is used for parking space for employees of the plant; that it is proposed to use the premises, including the one story concrete block addition, 41 ft. 5 in. by 26 ft. 7 in. in area, and as shown upon plans filed with this application, as a foundry and to continue the use of the premises for metal manufacturing and foundry; and

MINUTES

WHEREAS, the applicant states that the building is to replace an old building in which the same foundry work was carried out; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion to grant a variance under section 7, subdivision c of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted* under section 7-c thereof, to permit the reconstruction of the building as proposed, *on condition* that in all other respects the building and occupancy throughout shall comply with all laws, rules and regulations applicable thereto; that the buildings shall not be increased in height or occupancy other than as now existing and subject to permit issued by the department of housing and buildings; that the Board reserves the right to review the terms of this resolution and to require additional precautions in the event it is found the use of the premises involved as a foundry become an undue nuisance; that all motor vehicles, belonging to persons employed in or connected with the premises, shall be stored within the area provided therefor and not on the streets; that all permits required shall be obtained and all work completed within six (6) months from the date of this resolution.

APPEAL FROM ADMINISTRATIVE DECISION.

792-42-A.

APPLICANT—Louis A. Kiesewetter, for Texas Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—736-746 Linden boulevard and 796-804 Utica avenue southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 12, 1943 at 10 A. M., on request of applicant's representative.

Adjourned: 11:30 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, DECEMBER 15, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

1098-24-BZ.

APPLICANT—Frank V. Laspia, for Harry Schwartzberg, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution (re decision of the borough superintendent) to permit in a business use district, the conversion of occupancy of motor vehicle repair shop to ornamental iron work and welding (previously granted by the Board re conversion from garage for more than five (5) motor vehicles (said garage use previously granted by the Board) to motor vehicle repair shop).

PREMISES AFFECTED—458-466 Leonard street and 499-511 Manhattan avenue, southwest corner (Block No. 2712, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Frank V. Laspia.

For Opposition: Harold Klorfein, Dep't of Parks.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen, withdrawn by applicant.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

480-37-BZ.

APPLICANT—John R. Davies, for Wendel Foundation and Phelps Estate, Incorporated, owners (Arco Stations, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in an unrestricted use district, for a temporary period of two (2) years, the transient parking of more than five (5) motor vehicles in conjunction with the existing parking lot and gasoline service station.

PREMISES AFFECTED—21-25 Union Square West, west side, 52 ft. north of East 15th street (Block No. 843, Lot Nos. 22 and 25), Boroughs of Manhattan.

APPEARANCES—

For Applicant: J. P. Callender.

For Opposition: Harold Klorfein, Dep't of Parks.

ACTION OF BOARD—Application reopened and set for hearing January 19, 1943 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

573-37-BZ.

APPLICANT—Williams Auction Sales Corporation, for The Mutual Life Insurance Company of New York, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a temporary period of two (2) years, the transient parking of more than five (5) motor vehicles.

PREMISES AFFECTED—158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham Rosenblum and Thomas P. Farrell.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

1044-41-BZ.

APPLICANT—Benjamin B. Wesley, for Hadley Home Builders, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution.

MINUTES

tion, to permit in a residence use and also an E area district, the erection and maintenance of a group of buildings (dwellings) not conforming with E area zoning requirements.

PREMISES AFFECTED—95-01 to 95-19 149th avenue, north side, between 95th and 96th streets (Block No. 11531, Lot Nos. 28, 32, 33, 35, 36 and 20), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

647-42-BZ.

APPLICANT—William O. Staber, for Home Owners' Loan Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use and also E-1 area district, the conversion of occupancy of a one (1) family dwelling to a five (5) family dwelling.

PREMISES AFFECTED—394 Henderson avenue, south side, 350 ft. east of Bard avenue (Block No. 102, Lot No. 92), West New Brighton, Borough of Richmond.

APPEARANCES—

For Applicant: William O. Staber and James P. Farrell.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

110-37-BZ.

APPLICANT—David F. Cohen, for Elmore Kelsch, subtenant, for Putnam Theatrical Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—345-349 9th street, north side, 240 ft. west of Sixth avenue and 314-332 8th street (Block No. 1005, Lot Nos. 31 to 36, inclusive, 57, 58, 59, 28 and 29), Borough of Brooklyn.

APPEARANCES—

For Applicant: David F. Cohen and Abraham Brown.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (110-37-BZ)

WHEREAS, this application to permit in a business use district, under section 7h of the zoning resolution, the parking of more than five (5) motor vehicles, premises 345-349 9th street, north side, 240 ft. west of Sixth avenue (Block No. 1005, Lot Nos. 31 to 36, inclusive, and 57, 58 and 59), Borough of Brooklyn, was dismissed by the Board December 14, 1937, for lack of prosecution; and

WHEREAS, Arnold W. Lederer, for Putnam Theatrical Corporation, owner, requested on September 6, 1940, a reopening of the application to permit in a business and residence use district, under section 7h, of the zoning resolution, the parking and storage of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board September 24, 1940 and granted by the Board October 15, 1940, on certain conditions and applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted October 15, 1940, only so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

*** Granted under section 7h thereof, to permit for a term of two (2) years the plot under appeal to be occupied for the parking or storage of more than five (5) motor vehicles ***.

28-40-BZ.

APPLICANT—Reginald S. Hardy, for 42 South 11th Avenue Realty Company, Incorporated, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the reconstruction and rearrangement of existing gasoline service station and accessory building.

PREMISES AFFECTED—14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15 and 18), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Reginald S. Hardy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (28-40-BZ)

WHEREAS, this application under section 7-c of the zoning resolution to permit in a business use district the erection and maintenance of a gasoline service station, lubritorium, auto-laundry and auto-repair shop, premises 14-80 Clintonville street, west side, 1 ft. north of Cross Island boulevard (Block No. 4697, Lot Nos. 15 and 18), Whitestone, Borough of Queens, was granted by the Board May 28, 1940 on certain conditions, time extended February 3, 1942 and applicant requested a further extension of time to obtain permits and complete work.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of May 28, 1940 as amended February 3, 1942, only in so far as it has reference to obtaining permits and completion of the work so that as amended, this portion of the resolution shall read:

"that all permits required shall be obtained and all work completed within one (1) year from the date of this amended resolution."

474-41-BZ.

APPLICANT—Colonial Beacon Oil Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the erection and maintenance of an accessory building on a gasoline service station.

MINUTES

REMISES AFFECTED—96-02 Corona avenue and 49-01 Junction boulevard, southeast corner (Block No. 999, Lot No. 1), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (474-41-BZ)

WHEREAS, Joseph B. Lynch, for Colonial Beacon Oil Company, owner, filed May 26, 1941, an application under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of an accessory building and a gasoline service station; premises 96-02 Corona avenue and 49-01 Junction boulevard, southeast corner (Block No. 999, Lot No. 1), Corona, Borough of Queens; and

WHEREAS, this application was granted by the Board on December 2, 1941, on certain conditions and the applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 2, 1941, only so far as it has reference to obtaining permits and completion of work, so that as amended, this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution * * *."

474-41-BZ.

APPLICANT—Colonial Beacon Oil Company, for Irving Rosenblum, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the borough superintendent) previously granted on condition, under section 7c of the zoning resolution, permitting in a business use district, the alteration of an existing gasoline service station and the erection of a new accessory building thereon.

REMISES AFFECTED—218-02 Hillside avenue and 88-01 218th street, southeast corner (Block No. 10678, Lot No. 1), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (619-41-BZ)

WHEREAS, Colonial Beacon Oil Company, for Irving Rosenblum, owner, filed October 27, 1941, an application under section 7c of the zoning resolution, to permit in a business use district the alteration of an existing gasoline service station and the erection of a new accessory building thereon; premises 218-02 Hillside avenue and 88-01 218th street, southeast corner (Block No. 10678, Lot No. 1), Queens Village, Borough of Queens; and

WHEREAS, this application was granted by the Board on December 16, 1941, on certain conditions and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on December 16, 1941, only so far as it has reference to obtaining permits and the completion of work, so that as amended, this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed within one (1) year from the date of this amended resolution * * *."

848-41-BZ.

APPLICANT—Max Horn, for Michael Cook, owner.

SUBJECT—Application for consideration—reopening—amendment of resolution—re Application (decision of the borough superintendent) previously granted on condition, under section 7e of the zoning resolution, permitting in a residence use district, the erection and maintenance of a building to be used for stores and open air movie theatre.

PREMISES AFFECTED—38-01 to 38-05 Boardwalk, northwest corner of Beach 38th street (Block No. 320, Lot No. 1), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Mrs. Max Horn and Michael Cook.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioner

Blum and Deputy Chief Gunn..... 3

Negative: Commissioner Savage 1

THE RESOLUTION (848-41-BZ)

WHEREAS, Max Horn, for Michael Cook, owner, filed on September 30, 1941 an application under section 7e of the zoning resolution, to permit in a residence use district, the erection and maintenance of a building to be used for stores and open air movie theatre; premises 38-01 to 38-05 Boardwalk, northwest corner of Beach 38th street (Block No. 320, Lot No. 1), Edgemere, Borough of Queens; and

WHEREAS, this application was granted by the Board on June 9, 1942, on certain conditions time extended September 9, 1942 and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution adopted on June 9, 1942, as amended September 9, 1942, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is granted under section 7c thereof, to permit the use as proposed for a term of two (2) years from June 9, 1942, on condition that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto and no additional use shall be added or substituted; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within one (1) month from the date of this amended resolution; and that a temporary certificate of occupancy shall be obtained as was required under resolution adopted by the Board in Cal. No. 489-41-A on July 8, 1941.

Resolved further, that the existing toilet facilities for men and women may be accepted during the term of this variance, granted June 9, 1942, provided the required accommodations are installed in the event the existing emergency expires prior to the expiration of this variance."

MINUTES

APPEALS FROM ADMINISTRATIVE DECISIONS.

791-42-A.

APPLICANT—Samuel Roth, for 165 West 71st Street, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—165 West 71st street, north side, 130 ft. 5 in. east of Broadway (Block No. 1143, Lot No. 7½), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Roth.

For Opposition: Sidney Strauss and Walter J. Keller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 19, 1943 at 2 P. M., on request of applicant.

824-42-A.

APPLICANT—Emile L. Capel, for Estate of Finlay Johnson Sheppard, owner (Charles C. Huitt, Executor); (Gimbel Brothers, lessee).

SUBJECT—Appeal from decisions of the borough superintendent.

PREMISES AFFECTED—579 Fifth avenue, northeast corner of East 47th street (Block No. 1283, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Emile L. Capel and

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M., for inspection by a committee of the Board.

863-42-S.

APPLICANT—Eastern Building Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

ACTION OF BOARD—Laid over to December 22, 1942 at 2 P. M., on request of applicant.

605-43-A.

APPLICANT—Shomer-Majestic Box Corporation, lessee, for 335 West 16th Street Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—335-341 West 16th st., north side, 300 ft. east of Ninth avenue (Block No. 740, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: Israel Harkavy and Alfred Rathheimer.

For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn on request of applicant's representatives.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

703-42-A.

APPLICANT—Benjamin F. V. Driesler, for Yeshiva of Washington Heights, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—565-567 185th street, north side, 100 ft. east of St. Nicholas avenue (Block No. 2157, Lot Nos. 65 and 66), Borough of Manhattan.

APPEARANCES—

For Applicant: Jean H. Geraerds.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn

Negative:

844-42-A.

APPLICANT—Transcontinental and Western Air, Incorporated, lessee, for City of New York, Department of Marine and Aviation, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Hangar No. 6, New York Municipal Airport (Block No. 926, Lot No. Non-LaGuardia Field, Jackson Heights, Borough of Queens.

APPEARANCES—

For Applicant: Robert Meisenholder, Louis Schneider and Major Haslett.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal withdrawn after argument on request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn

Negative:

632-42-A.

APPLICANT—D. A. Collins Manufacturing Co., Inc. lessee, for Bush Terminal Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—148 39th street, southwest corner of Second avenue (Bush Building No. 19—4th floor); (Block No. 706, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Dimin and Louis Campana

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn

Negative:

THE RESOLUTION (632-42-A)

WHEREAS, D. A. Collins Manufacturing Co., Inc. lessee for Bush Terminal Corporation, owner, filed August 1942, an appeal from an order of the fire commissioner premises, 148—39th street, southwest corner of Second avenue (Bush Bldg. No. 19—4th floor); (Block No. 706, Lot No. 1), Borough of Brooklyn; and

WHEREAS, Order No. 92572-LC, issued by the Fire Commissioner July 22, 1942, reads:

"You are hereby notified that an inspection of the above premises, used to store oils, waxes, etc., shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Remove the drums of naphtha from the 4th story of a tenant factory building. Section C19-51-b-5, of the Administrative Code states that no permit shall be issued for the storage of volatile inflammable oil (naphtha) in excess of 5 gallons upon any floor above the ground floor of a building.

MINUTES

2. Provide an approved metal safety can of not more than 5 gallons capacity for the storage of naphtha on the 4th story. C-19-11, Administrative Code."

and

WHEREAS, the applicant states the building is 8 stories, (110 ft.) in height, 218 ft. by 440 ft. in area; of Class 1 construction; equipped with sprinkler and standpipe systems; erected in 1912; located in unrestricted district and occupied throughout for warehouse and tenant factory purposes; and

WHEREAS, the applicant contends that it has manufactured and distributed a liquid floor polish with Barkay Lac and a Sealer and Polish, used for polishing floors and furniture for many years; that naphtha is one of the ingredients of these products; that the building is so constructed as to provide adequate safety on the 4th floor to permit volatile inflammable oil to be stored in excess of 100 gallons; that in the manufacture of one batch of the product, two 50-gallon drums of naphtha are required at a given time and the contents of both drums are consumed in 24 hours; that it is therefore requested that the Board permit the issuance of a permit for the storage of two drums of naphtha, each containing 50 gallons, on the 4th story, for use in manufacturing the products of the applicant.

Resolved, that the order of the fire commissioner, Order No. 92572-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than two drums of naphtha shall be on the premises at any time and that such naphtha when on the premises shall be kept within the mixing compartment, as constructed pursuant to the requirements of the Board under Cal. No. 606-41-A; that the requirements of the resolution adopted under Cal. No. 606-41-A shall be complied with and, in addition, all electrical equipment shall be grounded to the satisfaction of the fire commissioner; that sills shall be constructed of cement concrete on each door leading from such compartment; that such sills shall be not less than six (6) inches in height; that the floor of such compartment shall be made non-sparking to the satisfaction of the fire commissioner; that the pump used on the drums shall be of a type as approved by the Underwriters' Laboratories, Inc. or the Factory Mutual Laboratories; that the mixing tank shall have a hinged cover held in place with a fusible link; that the sprinkler system and standpipe system shall be maintained to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. Nos. 439-38-A and 606-41-A.

650-42-A.

APPLICANT—C. W. Keenan, Incorporated, lessee, for Dimes Savings Bank, owner.

SUBJECT—Appeal from a decision re an order of the fire commissioner.

PREMISES AFFECTED—166-176 Livingston street, south side, 100 ft. east of Smith street and 159 Schermerhorn street (Block No. 164, Lot No. 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. J. Doran.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (650-42-A).

WHEREAS, C. W. Keenan, Inc., lessee (Dimes Savings Bank, owner), filed on August 28, 1942, an appeal from an order and decision of the fire commissioner, affecting premises 166-176 Livingston street and 159 Schermerhorn street (Block No. 164, Lot No. 13), Borough of Brooklyn; and

WHEREAS, Order No. 92437-LC issued by the fire commissioner July 6, 1942 reads:

"With reference to application dated May 28, 1942 for a permit to store 3 barrels of benzine, in an approved storage system at premises 170 Livingston street, Brooklyn, please be advised that the Fire Department is without power to issue such a permit for the reason that a recent inspection of the premises shows that the upper floor is occupied as a tenant factory with a tailor shop on the 4th story. The storage of benzine in any building where dry goods are manufactured, stored or kept for sale is a violation of C19-51-b-1, of the Administrative Code, which reads as follows:

'No permit shall be issued for the storage or sale of volatile inflammable oil in any building where dry goods or other material of a highly inflammable nature are manufactured, stored or kept for sale.'

1. You are, therefore, ordered to remove all benzine from the premises and to discontinue the further storage and sale of benzine on premises."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated August 11, 1942; and

WHEREAS, the applicant states that the building is 4 stories (68 ft.) in height, 125 ft. by 171.6 ft. in area, of class 1 construction, equipped with a sprinkler system, erected in 1920, located in a business use district and occupied: cellar—storage of paints; 1st floor—paint store—14 persons; 2nd floor—warehouse; 3rd floor—warehouse; 4th floor—tailor establishment—167 persons; and

WHEREAS, the applicant contends that it has been unable to secure the permission of the owner to make this appeal; that the owner has suggested that a tank be placed in the yard on Schermerhorn street; that this would not be practical, even if delivery of the tank still could be obtained under priorities; that the fire hazard would be increased by such an installation; that all requirements of the fire department have been complied with, since the occupant came into possession in 1930; that the present benzine tank is buried in concrete and the benzine is piped from the outside of the building, in accordance with the rules and regulations of the Fire Department; that the building is fireproof with a sprinkler system inspected monthly; that there is no manufacturing done by the applicant; that benzine is a vital necessity to the paint business; and

WHEREAS, an examination of Fire Department Folder No. 21946.21 indicates that an approved 500 gallon benzine storage tank was installed under plan No. 2487-30 and permits issued for the storage of 300 gallons of benzine and permits subsequently renewed for three barrels of benzine in underground tank up to and including June 30, 1942.

Resolved, that the order of the fire commissioner, Order No. 92437-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that the storage tanks for benzine as heretofore approved under Plan No. 2487-30, shall be maintained to the satisfaction of the fire commissioner, with approved dispensing pump on the first floor; that the fire alarm system and fire drills shall be maintained to the satisfaction of the fire commissioner.

691-42-S.

APPLICANT—Hardman, Peck and Company, owner (Duramold Aircraft Corporation, subsidiary of Fairchild Engine and Aircraft Corporation, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—524-540 West 52nd street, south side, 325 ft. southwest of Tenth avenue (4th floor); (Block No. 1080, Lot No. 45), Borough of Manhattan.

MINUTES

APPEARANCES—

For Applicant: H. Hagemeyer and J. R. Berry.
For Administration: Insp. Meyer and Insp. Maher.
Fire Dept.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn +
Negative: 0

THE RESOLUTION (691-42-S)

WHEREAS, Hardman, Peck and Company, owner (Dura-mold Aircraft Corporation, subsidiary of Fairchild Engine and Aircraft Corporation, lessee), filed September 22, 1942, an application for variation of the requirements of the Labor Law as cited in a decision of the fire commissioner, affecting premises: 524-540 West 52nd street, south side, 325 ft. west of Tenth avenue (4th floor); (Block No. 1080, Lot No. 45), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated September 15, 1942, reads:

"In reply to your request for a permit to smoke on the 4th story of the above premises, occupied as drafting rooms, bookkeeping departments, offices, etc., you are advised as follows:

As the balance of the premises is occupied as a factory with combustible materials used in such occupancy, I regret to advise that I am without the authority to issue such permit. An appeal from this decision may be filed with the Board of Standards and Appeals, within 30 days."

and

WHEREAS, the applicant states that the building is six stories and basement (90 ft.) in height; 144 ft. by 60 ft. in area; of Class 3 construction; erected 1875; located in an unrestricted use district and used as follows: Cellar, woodworking, 10 persons; first floor, woodworking, 15 persons; second floor, woodworking, 20 persons; third floor, woodworking, 30 persons; fourth floor, offices, 30 persons; fifth floor, woodworking, 10 persons; sixth floor, woodworking, 10 persons; and proposed to be occupied as follows: cellar, first floor and second floor, same; third floor, woodworking, 40 persons; fourth, fifth and sixth floors, same; that the building is equipped with a sprinkler system and standpipe system, interior fire alarm system; that fire drills are not maintained; that there are two 4 ft. 6 in. fireproof stairs leading from roof to street; and

WHEREAS, the applicant contends that the office, for which permission is requested for smoking, is entirely cut off from the factory portion and occupied only by bookkeepers, draftsmen and executives; that there also a blueprinting machine, which is separated by wood and glass partitions, 7 ft. 6 in. high; that the entire area of this lessee is segregated by fire doors and the building is protected with a high pressure sprinkler system fed by a 10,000 gallon pressure tank; that a 20,000 gallon gravity tank and standpipes are fed by 5,000 gallon tank; that the lessee frequently has occasion to interview prominent officials in connection with aircraft work and it is embarrassing to them not to be permitted to smoke, and in addition the draftsmen and engineers, as is customary, seem to be better able to concentrate on what they are doing when they can smoke a pipe; that any additional fire extinguishers as may be required by the Board will be installed; and

WHEREAS, the applicant has filed a copy of a communication from the War Department to the effect that the War Department has no objection to the smoking by employees in the sections of the plant set forth, provided the following precautions are taken:

- That a 2½ gallon soda acid type fire extinguisher be provided in the areas involved, on the basis of one such unit for each 2,500 sq. ft. of floor area.
- That there be not less than one extinguisher of the type set forth under Number a. for each partitioned

section, which may be shut off from the remainder of the floor area.

c. Adequate receptacles should be provided for proper disposal of cigarette and/or cigar butts.

Resolved, that the Board of Standards and Appeals do hereby make a variation in the requirements of the Labor Law as cited in a decision of the fire commissioner dated September 15, 1942, and that the application be and it hereby is granted on condition that during the term of the emergency, no smoking shall be permitted in any portion of the building except those portions of the fourth floor, indicated on plan filed with this application marked "Received September 22, 1942" and described as "Engineering, executive offices and general office", precluding smoking in any portion of this floor occupied as a laboratory; that signs shall be posted to the satisfaction of the fire commissioner, making it clear the extent of such area where smoking is hereby permitted and so worded as to exclude smoking elsewhere within the building; that the sprinkler system, standpipe system and interior fire alarm system shall be maintained to the satisfaction of the fire commissioner; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that the motor-driven fan, exhausting to the outer air in the laboratory, shall be maintained; that adequate receptacles, satisfactory to the fire commissioner, shall be provided for the disposal of cigarette and cigar butts.

700-42-A.

APPLICANT—Leonardo Lamp Manufacturing Company (lessee), for S. and A. Realty Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—591 Broadway, west side, 200 ft. south of West Houston street (6th floor) (Block No. 512, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: H. Zuckerman.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn +

Negative: 0

THE RESOLUTION (700-42-A)

WHEREAS, Leonardo Lamp Manufacturing Company (lessee), for S. and A. Realty Company, owner, filed on September 24, 1942, an appeal from an order and decision of the fire commissioner, affecting premises 591 Broadway, west side, 200 ft. south of West Houston street (6th floor) (Block No. 512, Lot No. 16), Borough of Manhattan; and

WHEREAS, Order No. 31482-LC, issued by the fire commissioner July 1, 1942, reads:

"Before permit may be issued to store and use lacquer, etc. following must be done:

- Discontinue the use of open flame or fire in any room or compartment in which spraying of an inflammable or combustible substance is carried on. See C19-11, Art. 1, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 26, 1942, which reads:

"In accordance with opinion of our Legal Division your request for extension, is denied.

It is illegal to store or use paints without a permit from the fire commissioner.

You may seek relief by applying to the Board of Standards and Appeals, for a modification of Order No. 31482-LC."

and

WHEREAS, the applicant states that the building is six stories (85 ft. 2 in.) in height; 30 ft. 1 in. by 200 ft. in area; of Class 3 construction; equipped with a sprinkler system; erected 1875; located in an unrestricted use district

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used and occupied as follows: cellar, store, 5 persons; first floor, not stated; second floor, surplus merchandise distribution, 12 persons; third floor, manufacturing leather goods, 25 persons; fourth floor, manufacturing shirts, 4 persons; fifth floor, manufacturing dresses, 35 persons; sixth floor, manufacturing lamps, 25 persons; and

WHEREAS, the applicant contends that he uses less than one quart of lacquer per day and the open flame is 25 ft. distant from the spraying apparatus; that the plant is working under extensions granted by the War Production Board, permitting the use of raw materials on hand, which will probably terminate at the end of the year; that contracts for defense work are being sought and if such contracts are obtained requiring the use of spraying the applicant will require additional space and thus move to larger quarters, and for these reasons it is requested that the Board grant an extension to the end of the year to continue the business as it has existed for the last 40 years.

Resolved, that the order of the fire commissioner, Order No. 31482-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Item No. 1, on condition that no open flame shall be permitted within 25 ft. of the spray booth; that such spray booth shall comply with all requirements therefor; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that the ventilating fan shall be maintained in operation at all times while the spraying is being carried on and there are any open flames; that the amount of spraying material in use during spraying shall at no time exceed two quarts; that the supply of paint material as permitted by the fire Commissioner, shall be in an approved steel cabinet; and in all other respects, the building and occupancy shall comply with all other laws, rules and regulations applicable hereto, other than as modified by the Board under Cal. Nos. 10-18-S and 611-26-A.

8-42-A.

APPLICANT—George H. Holland, Department of Public Works, for Department of Hospitals, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—149-25 Rockaway Beach boulevard, south side, 100 ft. west of Beach 149th street (Block No. 810, Lot No. 1); (Neponsit Beach Hospital), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: George H. Holland and Julius C. Metzler.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (718-42-A)

WHEREAS, George H. Holland, Architect in Charge Detached WPA Design Unit, Department of Public Works, for Department of Hospitals, City of New York, owner, filed on September 30, 1942, an appeal from a decision of the borough superintendent, affecting premises 149-25 Rockaway Beach boulevard, south side, 100 ft. west of Beach 149th street (Block No. 810, Lot No. 1); (Neponsit Beach Hospital), Rockaway Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated September 14, 1942, on amendment to Alt. Application No. 21-40 reads:

"1. The two fire escapes should be constructed throughout of incombustible material (sec. 6.7.1)."

WHEREAS, the applicant states that the building is 5 stories height, 136 ft. by 150 ft. in area, of class 1 construction,

erected in 1925, located in a residence use district and used as a hospital since its erection, with an occupancy of 20 persons on the first floor, 80 persons on the 2nd, 50 persons on the 3rd, 50 persons on the 4th and 10 persons on the 5th floor; and

WHEREAS, plans were filed and approved under Alt. Application No. 21-40, and permit was issued to construct two fire tower stairways and which have been commenced as to foundations but halted because of impossibility of obtaining necessary structural steel; and

WHEREAS, the applicant contends that purchase order for 38 tons of steel was awarded and priority request filed April 10, 1942 rejected and appealed May 22, 1942 and a rating of A-2 issued June 18, 1942, which is too low to obtain the material required to comply with the requirements of the Administrative Code; and

WHEREAS, the applicant has filed a copy of a memorandum dated September 11, 1942 to 1st Deputy Commissioner B. J. Gillroy of the Department of Housing and Buildings from Borough Superintendent E. P. Leonard of the Department of Housing and Buildings, Queens, which memorandum reads as follows:

"In connection with the above alteration, permission was granted in 1940 for the erection of 2 wood fire escapes, one on each of the 4 story wings of the Hospital. The original fire escapes were removed in order to provide space for the erection of 2 approved type fire towers. This Department accepted the use of wood fire escapes for a period of six months. The construction work was started by the W.P.A. but never got beyond the foundation stage. The inspector naturally called this matter to my attention and in June I wrote to the Department of Hospitals asking them what disposition they intended to make of the wood fire escapes. They have now filed an amendment showing the construction of these fire escapes, with the plea that their continued use be accepted during the period of the War emergency.

May I have your suggestion whether we should insist that the Department of Hospitals take this matter up through the Board of Standards and Appeals for such temporary acceptance, or would a letter of explanation from the Commissioner of the Department of Hospitals be considered as a basis for acceptance by this Department.

Note—Comm. Gillroy by phone stated he feels this is a Board case.

EPL 9/11/42"

and

WHEREAS, the applicant has filed a communication from the Deputy Commissioner of the Department of Public Works, dated December 15, 1942, which reads as follows:

"The above fire escapes were erected by the W.P.A., pursuant to the fact that the then existing steel fire escapes were so dilapidated that they were a menace to public safety, and in anticipation of the erection of permanent fireproof stair towers.

It was found because of war conditions, that the erection of the permanent stair towers became impossible. In the meantime, it was decided to convert Neponsit Beach Hospital from its present use to an institution for cardiac children as a post-war project. This is HO-172 in the current Capital Budget.

The architectural studies of the project contemplate the adoption of one of the following schemes:

1. Demolition of the building altogether.
2. Its remodelling—in which case it is intended to place the stairs within the building, to be properly accessible and in full compliance with the Building Code.

The construction of the temporary fire escapes may be termed to be of slow burning construction, as the timbers are all heavy. They were examined by a representative of the Queens Building Department on July 13, and in the opinion of said Inspector, the fire escapes

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were satisfactory as a temporary measure, provided the following modifications were made:

Fire escapes to extend to roof, wire mesh guards to be installed where same have been omitted, bottom of northerly stairway to be cleared of obstruction, glazed openings adjacent to fire escape to be glazed with wire glass, where diagonal bracing obstructs exit from windows to be replaced with non-obstructing bracing and both fire escapes to be painted.

With the understanding that the above objections of the Building Inspector will be properly remedied and in view of the facts recited above, we request that you permit the continuance of the temporary wooden fire escapes until the present world emergency conditions have been sufficiently removed to permit this Department to proceed with the installation of permanent lawful stairs."

Resolved, that the decision of the borough superintendent on Alt. Applic. 21-40, Obj. No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the continuation of the existing wood fire escapes previously temporarily permitted until the proposed fireproof fire tower stairways to replace unsafe fire escapes were constructed for one (1) year from the date of this action, *on condition* that such fire escapes and the windows and openings along the course of the fire escapes shall be made to conform to the requirements of the borough superintendent including the construction of doors leading directly to the temporary fire escapes from each floor; that such fire escapes, during the term of this permit, shall be maintained in good safe structural condition and all obstructions kept removed therefrom.

830-42-A.

APPLICANT—Levy and Berger, for Cornelius Callaghan, owner (Apico Realty Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—96-18 to 96-42 Queens boulevard, south side, 150 ft. east of 63rd drive (Block No. 3082, part of Lot No. 61), Rego Park, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Levy, Jr., Michael J. Wellin and Lee Meiowitz.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (830-42-A)

WHEREAS, Levy and Berger, for Cornelius Callaghan, owner (Apico Realty Co., Inc., lessee), filed on November 25, 1942, an appeal from a decision of the borough superintendent, affecting premises 96-18 to 96-42 Queens boulevard, south side, 150 ft. east of 63rd drive (Block No. 3082, part of Lot No. 61), Rego Park, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 21, 1942, on Alt. Applic. No. 1938-42 reads:

"1. Proposed openings, in fire walls are contrary to provisions of Bd. Stds. and Appeals ruling on Cal. No. 897-41-A.

2. Door construction shown contrary to provisions of Sec. 10.8.1 Bldg. Code., 3 hr. rating req'd."

and

WHEREAS, the applicant states that the building is one story (14 ft. 3 in.) in height, 200 ft. by 100 ft. and 75 ft. in area, of class 3 construction, erected in 1941, located in a business use district and occupied: cellar—bowling al-

leys, restaurant, stores and storage—250 persons; 1st floor—stores, restaurant and public market—125 persons; and

WHEREAS, the applicant contends that this appeal relates to the restaurant occupied by store No. 8, known as 96-18 Queens boulevard, located west of the fire wall which divides the building into two sections; that this restaurant requires increased dining space; that due to existing leases, it is not possible to extend in a westerly direction and therefore is proposed to extend into store No. 7, which requires openings in the brick fire wall; that due to practical difficulties and unnecessary hardship, it is requested that the proposed openings in the fire wall be permitted, inasmuch as the building is 1 story and cellar in height, all store dividing partitions are one hour construction and the entire roof space has been insulated with rock wool; that proposed openings in fire wall will be protected with fireproof self-closing doors of kalamein type, due to the fact that 3 1/2 protective assemblies cannot be obtained.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1938-42, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that other than the proposed opening in the fire wall, as shown on plans filed with the borough superintendent, the requirements of the resolution adopted by the Board under Cal. No. 897-41-A, under date of October 28, 1941, shall be complied with in all respects; and to Objection No. 2, that the proposed door assemblies shall be of the type as approved by the Board therefor.

857-42-A.

APPLICANT—John M. Baker, for Huntervan Realty Corporation, owner (International Diesel Electric Co., Inc., lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—11-49 44th road, north side, 89 ft. 8 5/8 in. west of 21st street and 13-02 44th avenue (Block No. 446, Lot No. 10), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John M. Baker.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn
Negative:

THE RESOLUTION (857-42-A)

WHEREAS, John M. Baker, for Huntervan Realty Corporation, owner (International Diesel Electric Co., Inc., lessee) filed December 8, 1942, an appeal from a decision of the borough superintendent; premises 11-49 44th road, north side, 89 ft. 8 5/8 in. west of 21st street and 13-02 44th avenue (Block No. 446, Lot No. 10), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 3, 1942, re M. Applic. No. 5956-42, reads:

"1. The proposed storage and use of spraying materials within this structure is at variance with the provisions contained in Cal. 715-42-A.

Moreover, the proposed method of conducting spraying operations is contrary to the rules of the Board Cal. 353-30-SR."

and

WHEREAS, the applicant states the building is one and two stories (50 ft. and 26 ft.) in height; 200 ft. by 200 ft. area; Class 5 construction; erected in 1930; located in unrestricted use district; and occupied: Cellar, boiler room; 1st floor, stone yard and office; 2nd floor, office; proposed to be occupied: Cellar, same; 1st floor, factory and office—140 persons; 2nd floor, office, 34 persons; and

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WHEREAS, it is proposed to install paint spraying equipment, as indicated on plans filed with this appeal marked received December 8, 1942", in the west end of the building, to permit the spraying of paint finish in the open by piping the unit to be sprayed over the spraying pits connected to a down draft exhaust system; that there will be four pits, 6 ft. wide and 12 ft. long, each connected to an exhaust stack 34 in. in diameter constructed of No. 20 heavy galvanized iron, riveted and soldered in direction of flow, supported on angle iron frame and brackets; that each stack will be equipped with Type F 34 in. 6-blade exhaust fans, equipped with 3 h.p. motors; that pits will be constructed with 12 in. concrete walls, concrete water-of floor 4 in. thick covered with X-bar grating, capable of sustaining a live-load of 900 lbs. per sq. ft.; and

WHEREAS, the applicant contends storage of paint will not exceed 100 gallons and will be kept in metal cabinets; that flashpoint of all paint materials will be not less than 100°; that the proposed system has been approved by the Bureau of Industrial Hygiene of the State Labor Dept.; that to be compelled to enclose the paint spraying area, would hamper the operation and deprive the occupant of the building of the use of the traveling cranes for handling spray equipment; and

WHEREAS, these premises and equipment were inspected by a Committee of the Board and a representative of the Division of Combustibles of the Fire Department.

Resolved, that the decision of the borough superintendent Misc. Applic. No. 5956-42, be and it hereby is *modified* so that the appeal be and it hereby is *granted on condition* that the installation and operation shall be maintained as proposed and to the satisfaction of the fire commissioner; that the spraying equipment shall be interlocked with the ventilating fans, so as to assure the operation of the ventilating system at all times while the spraying equipment is in operation; that no equipment other than that shown and proposed shall be placed near this spraying equipment, unless in accordance with the fire commissioner's approval; that in all other respects, the requirements of the Board's resolution under Cal. No. 715-42-A, shall be complied with; that such additional portable fire fighting appliances shall be maintained as the fire commissioner shall direct; and that all laws, rules and regulations applicable to the building and occupancy shall be complied with in all other respects.

7-42-A.

APPLICANT—Arthur Weiser, for 28th Properties, Incorporated, owner.

SUBJECT—Application for consideration—reopening and reinstatement to calendar—re Appeal from a decision of the borough superintendent (previously dismissed for lack of prosecution).

PREMISES AFFECTED—31-81 Steinway street, east side, 100 ft. north of Broadway (Block No. 678, Lot No. 9), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Arthur Weiser.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Request to reopen, withdrawn by applicant.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

7-35-A.

APPLICANT—L. E. Driver, for New York Dock Company, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—Pier No. 38, Clinton Wharf, Atlantic Basin (Block No. 515, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: L. E. Driver.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (187-35-A)

WHEREAS, L. E. Driver, for New York Dock Company, owner, filed June 27, 1935, an appeal from a decision of the commissioner of buildings, affecting premises Pier No. 38, Clinton Wharf, Atlantic Basin (Block No. 515, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, this appeal was denied by the Board on June 16, 1935, reopened and granted on certain conditions November 26, 1935, time extended March 10, 1936, December 14, 1937 and November 28, 1939 and applicant requested a further extension of time.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on November 26, 1935, as amended March 10, 1936, December 14, 1937 and November 28, 1939, only so far as it has reference to the completion of the work, so that as amended, this portion of the resolution shall read:

"* * * that all permits shall be obtained and all work completed within one (1) year from the date of this *amended* resolution * * *."

174-40-A.

APPLICANT—G. R. Rinke, for New York Dock Company, owner (John Powell and Company, Incorporated, lessee).

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Buildings Nos. 339, 344 and 345); (Block No. 611, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: G. R. Rinke and M. Pollert.

For Administration: Fred Dahlem, Dep't. of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (174-40-A)

WHEREAS, G. R. Rinke, for New York Dock Company, owner, filed February 13, 1940, an appeal from an order of the fire commissioner; premises 273-287 Conover street, east side, 110 ft. 6 in. south of Reid street (Buildings Nos. 339, 344 and 345); (Block No. 611, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, this appeal was granted by the Board on June 11, 1940, on certain conditions and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted June 11, 1940, so that as amended the resolution shall read:

"Resolved, that the order of the fire commissioner, Order No. 82285-LC. be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition*

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that not more than *sixty* (60) drums of kerosene shall be stored at any time adjacent to the buildings under appeal, and that such storage shall be within the driveway against the unpierced wall of Building Nos. 338-339 and shall be under a shelter which may be attached to the building, consisting of galvanized iron or similar material; that the drums shall be as approved by the Interstate Commerce Commission; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct."

675-41-A.

APPLICANT—Charles A. Levitt, for 114 North Fourth Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—76-116 North 4th street, south side, between Berry street and Wythe avenue, 199-203 Wythe avenue and 176-180 Berry street (Block No. 2350, Lot Nos. 4 and 13), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer and Louis Greenberg.
For Administration: Fred Dahleni, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (675-41-A)

WHEREAS, Charles A. Levitt, for 114 North 4th Street Corp., owner, filed July 18, 1941 an appeal from a decision of the borough superintendent; premises 76-116 North 4th street, south side, between Berry street and Wythe avenue, 199-203 Wythe avenue and 176-180 Berry street (Block No. 2350, Lot Nos. 4 and 13), Borough of Brooklyn; and

WHEREAS, this appeal was granted by the Board on July 22, 1941, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on July 22, 1941, so that as amended, the resolution shall read:

"*Resolved*, that the decision of the borough superintendent, on Alt. Applic. 2702-41, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed penthouse shall not exceed 30 per cent. of the roof area of the building; that the building shall not be further extended in height or area; that the sprinkler system shall be maintained throughout, including the penthouse; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

Resolved further, that in view of the proposal made by the owner, that he intends to equip the building

throughout with a sprinkler system for the purpose of reducing cost of insurance, although not required by law, that such sprinkler system shall be installed within one (1) year from the date of this amended resolution."

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

221-34-SA.

APPLICANT—H. A. Nash, for Ohio Pattern Works and Foundry Company, owner.

SUBJECT—Application reopened December 17, 1940 re Metropolitan Curb Fill Box re use of fuel oil (previously approved re use in gasoline installations).

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

1076-39-SM.

APPLICANT—Simplex Boiler Stand Company, Incorporated, owner.

SUBJECT—Renton Brass W. C. Flange and Asbestos Graphite Gasket, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

443-41-SA.

APPLICANT—Metallizing Company of America Incorporated, owner.

SUBJECT—Mogul Metal Spray Gun, approval of.

Note: The action of the Board on this application, together with the report of the Committee on Tests, will appear in the Bulletin of December 29, 1942.

681-42-SM.

APPLICANT—Bird and Son, Incorporated, owner.

SUBJECT—Bird Insulated Siding, Brick Design, approval of.

Note: The action of the Board on this application, together with the report of the Committee on Tests, will appear in the Bulletin of December 29, 1942.

Adjourned: 4:50 P. M.

JOSEPH J. DOYLE, Chief Clerk.

NOTICE

FORMS FOR NOTICE TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

BULLETIN

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN E. GUNN

JOSEPH J. DOYLE, *Chief Clerk*

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TELEPHONE—WOrth, 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays
9 a. m. to 12 noon.

Address all communications to the Chairman.

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The Hearing Calendar.

Minutes of Regular Meeting December 22, 1942, at 10 A. M., Affecting Calendar Numbers 669-42-BZ, 177-33-BZ, 903-25-BZ, 578-42-BZ, 750-42-BZ, 805-42-BZ and 840-42-A.

Minutes of Regular Meeting December 22, 1942, at 2 P. M., Affecting Calendar Numbers 454-37-BZ, 90-40-BZ, 430-41-BZ, 819-41-BZ, 877-41-BZ, 1045-41-BZ, 1082-41-BZ, 722-42-A, 758-42-A, 803-42-A, 843-42-S, 887-42-A, 888-42-A, 385-42-A, 732-42-S, 796-42-A, 267-42-S, 618-42-A, 627-42-A, 639-42-S, 645-42-A, 666-42-A, 670-42-A, 701-42-A, 738-42-A, 819-42-A, 820-42-S, 824-42-A, 832-42-A, 841-42-A, 863-42-S, 874-42-A, 875-42-A, 879-42-A, 880-42-A, 881-42-S, 886-42-S, 1120-38-SM, 274-41-SM, 417-42-SM, 260-41-SM, 94-39-SM, 488-42-SM, 56-41-SM and 492-40-SM.

Correction Affecting Calendar Number 487-42-SM.

Resolutions Affecting Calendar Numbers 443-41-SA and 681-42-SM.

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JAN 11 1942
UNIVERSITY OF ILLINOIS

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS OF CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the Board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*.

CALENDAR

DOCKET.

New Cases Filed up to December 22, 1942.

Cal. No. Dept. Premises Affected

876-42-A—F.D.—12-19 to 12-23 Jackson avenue, south side, 50 ft. west of 47th road (Block No. 60, Lot No. 1), Long Island City, Borough of Queens, Decision.

877-42-A—F.D.—1230 Castleton avenue, southwest corner of Taylor street (Block No. 212, Lot No. 40), West New Brighton, Borough of Richmond, 5058-L. F. and Decision.

878-42-SA—Climax Blue Streak Generating Set, Appliance.

879-42-A—H.B.Q.—49-20 30th street, west side, 100 ft. south of Hunters Point avenue (Block No. 292, Lot No. 1), Long Island City, Borough of Queens, N. B. 1385-42.

880-42-A—H.B.Q.—49-26 30th street, west side, 100 ft. south of Hunters Point avenue (Block No. 292, Lot No. 1), Long Island City, Borough of Queens, N. B. 1386-42.

881-42-S—H.B.Q.—49-26 30th street, west side, 100 ft. south of Hunters Point avenue (Block No. 292, Lot No. 1), Long Island City, Borough of Queens, N. B. 1386-42.

882-42-A—H.B.Bx.—1632 Glover street, east side, 40.9 ft. south of Castle Hill avenue (Block No. 3990, Lot No. 33), Borough of The Bronx, Applic. 964-42.

883-42-A—H.B.Bx.—1630 Glover street, east side, 67.9 ft. south of Castle Hill avenue (Block No. 3990, Lot No. 32), Borough of The Bronx, Applic. 1215-42.

884-42-A—H.B.Q.—47-16 Austel place, west side, 140 ft. south of Skillman avenue (Block No. 98, Lot Nos. 30 and 42), Long Island City, Borough of Queens, Alt. 3071-42.

885-42-BZ—H.B.Bx.—667-669 Hunts Point avenue, west side, 145.30 ft. south of Bryant avenue (Block No. 2766-B, Lot No. 120), Borough of The Bronx, Alt. 612-42.

886-42-S—F.D.—45-02 Ditmars boulevard, southwest corner of 47th street (Building C); (Block No. 769, part of Lot No. 1), Astoria, Borough of Queens, Decision.

887-42-A—H.B.Q.—29-48 Hunters Point avenue, southwest corner of 30th street (Block No. 292, Lot No. 28), Long Island City, Borough of Queens, N. B. 1395-42.

888-42-A—H.B.Q.—29-38 Hunters Point avenue, southwest corner of 30th street (Block No. 292, Lot No. 28), Long Island City, Borough of Queens, N. B. 1396-42.

889-42-S—F.D.—35-35 to 35-45 36th street, east side, 92.5 ft. north of 36th avenue (5th floor); (Block No. 640, Lot No. 4), Long Island City, Borough of Queens, Decision.

890-42-BZ—H.B.B.—378-394 Coney Island avenue, 843-849 Caton avenue, northwest corner and 86-90 Kermit place,

southwest corner of Coney Island avenue (Block No. 5322, Lot Nos. 80 and 84), Borough of Brooklyn, Alt. 3257-42.

891-42-SM—Esco Compounds (for Wearproofing and Dustproofing Cement Floors), manufactured by Preservative Products Company, Material.

892-42-SA—American "Precision" Water Sterilizer, Appliance.

893-42-A—F.D.—810 East 136th street, south side, 300 ft. east of Willow avenue (Block No. 2587, Lot No. 11), Borough of The Bronx, 31001-L. C., 31285-L. C. and Decision.

Restored to Calendar.

417-42-SM—Alpha Cylindrical Gasoline Storage Tank, sizes 110 gal., 275 gal., 1080 gal., 2000 gal., and 5000 gal. sizes, manufactured by Alpha Tank Company, Incorporated, Material.

385-42-A—F.D.—165 West 46th street, and 1560 Broadway, east side, 40 ft. north of West 46th street (Block No. 999, Lot No. 3), Borough of Manhattan, 32659-L. C.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department, and F.D.—Fire Department.

RULES

Last Publication in Bulletin

Blended Cements, Rules for Testing and Use of	Nov.	24, 1942—Vol. 27, No. 47
Carbon Dioxide Liquefier, Rules	Mar.	10, 1942—Vol. 27, No. 10
Certificates of Occupancy, approved form	Nov.	25, 1941—Vol. 26, No. 47
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Masonry Units, Rules for Manufacture. Testing and Use of	June	24, 1941—Vol. 26, No. 25
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	Nov.	17, 1942—Vol. 27, No. 46
Fire Alarm Rules (Interior)	Apr.	7, 1942—Vol. 27, No. 14
Fire Drill Rules	Aug.	4, 1942—Vol. 27, No. 31
Fire-resistive, Flameproof Materials, etc., Rules for Testing of	Dec.	15, 1942—Vol. 27, No. 50
Fire Retarding Rules for Garages, etc.	Dec.	16, 1941—Vol. 26, No. 50
Fireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	May	20, 1941—Vol. 26, No. 20
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection	June	5, 1928—Vol. 13, No. 23
Insulating Fibre Board Rules	Sept.	22, 1942—Vol. 27, No. 38
Oil Burner Rules	Sept.	1, 1942—Vol. 27, No. 32
Opening Protective Assemblies, Rules for Inspection of	July	28, 1942—Vol. 27, No. 30
Paint, Varnish and Lacquer Spraying Rules	Sept.	8, 1942—Vol. 27, No. 36
Platform Trucks, Specifications for	Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug.	3, 1937—Vol. 22, No. 31
Plumbing Rules (Submerged Inlets; Protective Methods to Prevent Contamination of Water Supply)	Dec.	15, 1942—Vol. 27, No. 50
Procedure, Rules of	Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Aug.	26, 1941—Vol. 26, No. 34
Smoking in Factories, Rules for	Dec.	8, 1942—Vol. 27, No. 49
Sprinkler Rules	June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8, No. 15

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LIST OF APPROVED APPLIANCES

Last Publication in Bulletin

Anti-Siphon Valves	Nov. 25, 1941—Vol. 26, No. 47A
Fireline Hose Valves	Nov. 25, 1941—Vol. 26, No. 47A
Oil Burners for Domestic and Commercial Use	Nov. 25, 1941—Vol. 26, No. 47A
Oil Pipe Terminals	Nov. 25, 1941—Vol. 26, No. 47A
Oil Burners for Industrial Use	Nov. 25, 1941—Vol. 26, No. 47A
Oil Pumps	Nov. 25, 1941—Vol. 26, No. 47A
Gas Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Paint, Varnish and Lacquer Spraying Equipment	Nov. 25, 1941—Vol. 26, No. 47A
Range Oil Burners and Space Heaters	Nov. 25, 1941—Vol. 26, No. 47A
Vacuum Breakers	Nov. 10, 1942—Vol. 27, No. 45

JANUARY 5, 1943, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, January 5, 1943, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

82-42-BZ—Application, May 11, 1942, under section 7h of the zoning resolution, of Ervin Palmer, applicant, on behalf of General Baking Company, owner (C. Solomon Mayer, lessee), to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 530-540 East 81st street and 28-34 East End avenue, southwest corner (Block No. 1577, Lot No. 27), Borough of Manhattan.

49-42-BZ—Application, October 22, 1942, under sections 7h and 21 of the zoning resolution, of Henry Nordheim, applicant, on behalf of Sarah Shapiro, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 756 St. Nicholas avenue, east side, 437 ft. in. south of West 150th street (Block No. 2053, Lot No. 25), Borough of Manhattan.

5-42-BZ—Application, January 20, 1942, under section c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of Samuel Schenkel, owner, to permit in a business use district, the alteration of and also the erection of a new accessory building on an existing gasoline service station; premises 4313-4323 Fourth avenue and 401-405 44th street, northeast corner (Block No. 729, Lot No. 1), Borough of Brooklyn.

26-42-BZ—Application, May 25, 1942, under sections f and 7h of the zoning resolution, of Nathan Weissberg, applicant, on behalf of Lenore Realty Corporation, owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 695-699 Utica avenue, east side, 50 ft. south of Clarkson avenue (Block No. 4637, Lot No. 44), Borough of Brooklyn.

87-42-BZ—Application, July 22, 1942, under section 21 of the zoning resolution, of Michael Glick, applicant, on behalf of Dorothy R. Siegal, owner, to permit in a business use district, the conversion of occupancy of part of an existing building to a motor vehicle repair shop; premises 551 East 149th street and 555 St. Ann's avenue, northwest corner (Block No. 2276, Lot No. 57), Borough of The Bronx.

10-42-BZ—Application, November 18, 1942, under sections 7a, 7c and 21 of the zoning resolution, of Abraham Farber, applicant, on behalf of Menford Realty Corporation, owner, to permit in a residence use district, the alteration and extension of a factory building—by the erection of a third (3rd) story; premises 1-27 Montauk avenue and 3144-3166 Atlantic avenue, southeast corner and 2-40 Milford street (Block No. 3976, Lot Nos. 25 to 48, inclusive), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 5, 1943, 2 P. M.

Appeals from Administrative Decisions.

887-42-A—29-48 Hunters Point avenue, southwest corner of 30th street (Block No. 292, Lot No. 28), Long Island City, Borough of Queens.

888-42-A—29-48 Hunters Point avenue, southwest corner of 30th street (Block No. 292, Lot No. 28), Long Island City, Borough of Queens.

843-42-S—4410-4414 Park avenue, northeast corner of East 181st street (Block No. 3037, Lot No. 35), Borough of The Bronx.

804-42-A—41-06 DeLong street, west side, 6 ft. east of Port Washington Division of Long Island Railroad (Block No. 5066, Lot No. 255), Flushing, Borough of Queens (under section 35, General City Law—re bed of mapped street—41st avenue).

JANUARY 12, 1943, 10 A. M.

Zoning Applications.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning, January 12, 1943, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matters:*

539-42-BZ—Application of Edwin H. Thatcher, applicant, on behalf of Polytechnic Institute of Brooklyn, owner, reopened and restored to calendar, December 8, 1942, under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles (previously withdrawn re Lot Nos. 11 and 22); premises 275-299 Fifth street, north side, 97 ft. 10½ in. east of Fourth avenue (Block No. 984, part of Lot No. 11), Borough of Brooklyn.

87-42-BZ—Application of AAA Properties, Incorporated, applicant and owner, reopened December 8, 1942 by order of the court—re Application, previously denied by the Board, under section 7h of the zoning resolution, to permit partly in a business use and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3856-3872 Ninth avenue, west side, between West 206th and West 207th streets (Block No. 2203, Lot No. 21), Borough of Manhattan.

577-42-BZ—Application, July 15, 1942, under section 7c of the zoning resolution, of George H. Cohn, applicant, on behalf of Crew Levick Corporation, owner (Joseph E. Johnston, lessee), to permit partly in a business use and partly in a residence use district, the extension of an existing gasoline service station for parking of more than five (5) motor vehicles; premises 1 Bay Ridge avenue and 6833 Shore road, northeast corner (Block No. 5859, Lot Nos. 10 and 12), Borough of Brooklyn.

1261-39-BZ—Application of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, reopened May 26, 1942, under section 7c of the zoning resolution, to permit partly in a business use and partly in a residence use district, the parking and storage of more than five (5) motor vehicles upon a plot occupied as a gasoline service station (previously withdrawn); premises 2701-2711 Fort Hamilton parkway and 1358-1368 Prospect avenue, northwest corner (Block No. 5284, Lot No. 64), Borough of Brooklyn.

284-42-BZ—Application, April 7, 1942, under section 7c of the zoning resolution, of Lama and Proskauer, applicants, on behalf of North American Oil Corporation, owner (Matt David, lessee), to permit in a business use district, upon a plot occupied as a gas station and individual garages, the erection and maintenance of a building to be occupied as a

CALENDAR

garage for more than five (5) motor vehicles, lubritorium, dressing rooms and office and the use of the remainder of the plot as a gasoline service station; premises 1672-1680 86th street, southeast corner of Bay 14th street (Block No. 6365, part of Lot No. 33), Borough of Brooklyn.

567-41-BZ—Application, June 23, 1941, under section 21 of the zoning resolution, of Maurice Epstein and Irvin J. Berger, applicants, on behalf of Red Estates, Incorporated, owner, to permit in a residence use district, the erection and maintenance of a business building (stores); premises 72-92 to 72-98 Calamus avenue, southwest corner of 74th street (Block No. 2485, Lot No. 36), Maspeth, Borough of Queens.

176-38-BZ—Application of Lama and Proskauer, applicants, on behalf of Regis Holding Corporation, owner (Katherine Sessano, lessee), reopened September 9, 1942, under section 7e of the zoning resolution, to permit in a business use district, for a term of two (2) years, the maintenance of an auto wrecking yard (previously dismissed for lack of prosecution in re maintenance of a junk yard); premises 686-700 Herkimer street and 22-30 Utica avenue, southwest corner (Block No. 1707, Lot Nos. 46, 47 and 48), Borough of Brooklyn.

667-42-BZ—Application, September 11, 1942, under section 7h of the zoning resolution, of Henry George Greene, applicant, on behalf of Leo Uliano, owner, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 417 79th street, north side, 125 ft. east of 4th avenue (Block No. 5970, Lot No. 79), Borough of Brooklyn.

514-42-BZ—Application, June 27, 1942, under sections 7f, 7h and 21 of the zoning resolution, of Arthur H. Haaren, applicant, on behalf of Pennsylvania Railroad Company, owner (Kesbec, Incorporated, lessee), to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 39-11 to 39-33 Skillman avenue, north side, 100 ft. east of 39th street (Block No. 183, part of Lot No. 1), Long Island City, Borough of Queens.

669-42-BZ—Application, September 11, 1942, under sections 7f and 21 of the zoning resolution, of Wing Holding Corporation, applicant and owner, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 40-11 Skillman avenue, north side, 545.51 ft. west of 43rd street (Block No. 183, Lot No. 290), Long Island City, Borough of Queens.

987-41-BZ—Application, November 14, 1941, under section 7c of the zoning resolution, of Louis A. Kiesewetter, applicant, on behalf of The Texas Company, owner, to permit in a business use district, the reconstruction of and the erection of a new accessory building upon an existing gasoline service station; premises 736-746 Linden boulevard and 796-804 Utica avenue, southwest corner (Block No. 4675, Lot No. 6), Borough of Brooklyn.

Appeal from Administrative Decision.

792-42-A—796-804 Utica avenue and 736-746 Linden boulevard, southwest corner (Block No. 4675, Lot No. 6) Borough of Brooklyn, Misc. 8575-41.

HARRIS H. MURDOCK, *Chairman*

JANUARY 12, 1943, 2 P. M.

Appeals from Administrative Decisions.

722-42-A—2515 Grand Concourse, west side, 106.34 ft. north of East Fordham road (Block No. 3167, Lot No. 76), Borough of The Bronx.

803-42-A—786 First avenue, 400 East 44th street, southeast corner and north side of East 43rd street, 150 ft. east of First avenue (Block No. 1355, Lot No. 7), Borough of Manhattan.

JANUARY 19, 1943, 10 A. M.

Zoning Application.

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the zoning resolution, *Tuesday morning January 19, 1943*, at 10 o'clock in Room 1013, Municipal Building, Manhattan, on the following matter:

480-37-BZ—Application of John R. Davies, applicant, on behalf of Wendel Foundation and Phelps Estate, Incorporated, owners (Arco Stations, Incorporated, lessee), reopened December 15, 1942 for consideration as to extension of permit (said permit having expired by limitation)—re Application, previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use and partly in an restricted use district, for a temporary period of two (2) years, the transient parking of more than five (5) motor vehicles; premises 21-25 Union Square West, west side, 52 ft. north of East 15th street (Block No. 843, Lot Nos. 22 and 25), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

JANUARY 19, 1943, 2 P. M.

Appeal from Administrative Decision.

791-42-A—165 West 71st street, north side, 130 ft. 5 in. east of Broadway (Block No. 1143, Lot No. 7½), Borough of Manhattan.

FEBRUARY 2, 1943, 2 P. M.

Appeal from Administrative Decision.

758-42-A—316 South 5th street, south side, 80 ft. west of Rodney street (Block No. 2461, Lot No. 12), Borough of Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING.

TUESDAY MORNING, DECEMBER 22, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

The minutes of the regular meetings of the Board held on Tuesday morning, December 15, 1942 and Tuesday afternoon, December 15, 1942, were approved as printed in Bulletin No. 51, Vol. 27.

ZONING CASES.

669-42-BZ.

APPLICANT—Wing Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

MINUTES

PREMISES AFFECTED—40-11 Skillman avenue, north side, 545.51 ft. west of 43rd street (Block No. 183, Lot No. 290), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Mason G. Kassel and Edgar Hantsche.

For Opposition: Alex Rosenthal.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 12, 1943 at 10 A. M. for further consideration by the Board. No further argument; for consideration after Cal. No. 514-42-BZ is heard on same date.

177-33-BZ.

APPLICANT—Lama and Proskauer, for Joseph Gross, owner.

SUBJECT—Application reopened July 28, 1942 (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit in a business use district, the erection and maintenance of a gasoline service station, motor vehicle repair shop, auto laundry, lubritorium and office (previously denied re gasoline service station re Lot No. 42).

PREMISES AFFECTED—1510-1522 Rockaway parkway and 9616-9626 Flatlands avenue, southwest corner (Block No. 8204, Lot Nos. 42 and 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Louis Young and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

903-25-BZ.

APPLICANT—Lama and Proskauer, for Rose Rolland, owner.

SUBJECT—Application reopened November 5, 1941 (re decision of the borough superintendent) under section 7f of the zoning resolution, to permit in a business use district, for a term of years, the use of a two story and basement building as a garage for more than five (5) motor vehicles; the Board having previously granted a one story garage for more than five (5) motor vehicles on the premises in question.

PREMISES AFFECTED—823-829 Classon avenue, east side, 47 ft. north of Lincoln place (Block No. 1178, Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: John N. Kearney, Agnes M. Stack, Catherine C. Kennelly, Florence Byrne and others.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (903-25-BZ.)

WHEREAS, this application, to permit in a business use district, the change of occupancy on the second story from auto accessories to a garage for more than five (5) motor vehicles, affecting premises 823-829 Classon avenue, east side, 47 ft. north of Lincoln place (Block No. 1178, Lot No. 3),

Borough of Brooklyn, was denied by the Board on March 2, 1926, under section 21 and the Board's action was subsequently affirmed by the Supreme Court; and

WHEREAS, a request to reopen for reconsideration under section 21 was withdrawn on February 21, 1939; and

WHEREAS, Lama and Proskauer, for Rose Rolland, owner, requested reopening of the application under section 7f, of the zoning resolution, to permit in a business use district for a term of ten (10) years, the use of a two story and basement building as a garage for more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the Board on November 5, 1941, subject to usual procedure; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 22, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning application show that Classon avenue is in a business and residence use district; and Lincoln place and St. Johns place are in a residence and business use district; and

WHEREAS, the decision of the borough superintendent on B. N. Application No. 2822-41, dated July 13, 1942, reads:

"Records of this department show that the non-conforming use of the 1st floor as a garage for more than five motor vehicles was approved on the basis of the conditional variation of the Board of Standards and Appeals, 399-23-BZ.

The conforming use of the cellar and 2nd floor for dead storage was also approved by this department.

Proposed change in occupancy of cellar and 2nd floor to garage for more than five motor vehicles is contrary to Art. II, Sec. 4(a) 15 of the zoning resolution and the conditional variation of the Board of Standards and Appeals, 399-23-BZ."

and

WHEREAS, the applicant states that the existing building is two (2) stories and cellar; having a frontage of 65 ft. and a depth of 100 ft. on the first story and 90 ft. on the second story; of Class 3 construction; that it is proposed to occupy for a term of 10 years the 1st, 2nd and cellar stories of the existing building as a garage for more than five (5) motor vehicles, the Board having previously granted a one (1) story garage for more than five (5) motor vehicles on the premises in question under Calendar No. 399-1923-BZ; that thereafter the Building Department permitted construction of a cellar and second story to be occupied for dead storage; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision f, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7f thereof, for a term of ten (10) years from the date of this action; *on condition* that the building shall not be increased in height or area and shall be occupied for no other purpose other than as proposed, as a garage throughout for the storage only of motor vehicles of the pleasure car type and permitting the dead storage of such motor vehicles; that no motor vehicles repairing shall be carried on on the premises; that no signs shall be erected on the building or the roof of the building, other than those now existing; that in all other respects, the building and occupancy shall comply with all other laws, rules and regulations applicable thereto; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

578-42-BZ.

APPLICANT—Arnold W. Lederer, for Buoniello Holding Company, Incorporated, owner.

MINUTES

SUBJECT—Application (re decision of the borough superintendent) under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles and, also, the continuance of the use of part of the plot for the display and sale of used cars.

PREMISES AFFECTED—6802-6810 Ft. Hamilton parkway, southwest corner, of 68th street (Block No. 5771, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (578-42-BZ)

WHEREAS, Arnold W. Lederer, for Buoniello Holding Company, owner, filed an application under section 7h of the zoning resolution, to permit in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles, and also the continuance of the use of part of the plot for the display and sale of used cars; premises 6802-6810 Ft. Hamilton parkway, southwest corner of 68th street (Block No. 5771, Lot No. 6), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 22, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompany the zoning resolution show that Fort Hamilton parkway is in a business and residence use district; and 9th avenue, 68th street and Bay Ridge avenue are in a business and residence use district; and

WHEREAS, the decision of the borough superintendent, dated June 23, 1942, and as amended November 13, 1942, on Alt. Applic. No. 1896-42, reads:

"Storage and parking of more than five cars in connection with sale of used cars, within a business use district, is contrary to Art. 2, Sect. 4a-15 of the zoning resolution."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 150 ft. on 68th street; 71 ft. on Ft. Hamilton parkway and 100 ft. along 9th avenue; that upon the 9th avenue frontage of the plot, there is located a one story building, 80 ft. by 29 ft. in area; occupied as a soda distribution station; that upon the central portion of the plot there is a 12 ft. by 18 ft. office; that these buildings are to remain and it is proposed to continue the use of the remainder of the plot for the display and sale of used cars and also, for a term of two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision h, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7h thereof, for a term of two (2) years to permit the parking or storage of more than five (5) motor vehicles on the vacant portion of the lot west of the existing one story office building, *on condition* that the entire lot shall be cleared of all fences and other material except for the garage building facing Ninth avenue and the one story office building toward the front portion of the lot; that the rear portion of the lot

shall be graded substantially to the grade of 68th street; that there shall be a substantial picket fence erected along the building line of Ninth avenue and 68th street to a point approximately opposite the rear office building and across the lot from the 68th street building line to the interior lot line to the south; that there shall be a barricade maintained to separate this portion of the lot from the front portion where the sale of used cars may continue; that there shall be no entrances to the rear portion of the lot where parking and storage is hereby permitted except from 68th street; that the entrance shall not exceed 20 ft. with a curb cut of equal width; that the storage and parking herein permitted shall be restricted to cars of the pleasure car type and only those in condition for operation; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that adequate aisles shall be maintained at all times for easy entrance and egress; that no signs shall be erected on the premises advertising the parking and storage use except that there may be a sign not over 15 sq. ft. in area attached to the fence near the entrance at 68th street advertising such use and the rates charged; that this portion shall be surfaced with clean gravel, steam cinders or other suitable material properly rolled and bound; that all permits shall be obtained and all work completed within six (6) months from the date of this resolution.

750-42-BZ.

APPLICANT—Henry Nordheim, for Sarah Shapiro, owner.

SUBJECT—Application (re decision of the borough superintendent) under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—876 St. Nicholas avenue, east side, 114 ft. 10 in. north of West 153rd street (Block No. 2069, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry Nordheim and Jean Barth.

For Opposition: Mrs. G. W. Guy.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: 0

Negative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (750-42-BZ)

WHEREAS, Henry Nordheim, for Sarah Shapiro, owner, filed on October 22, 1942, an application under sections 7h and 21 of the zoning resolution, to permit in a residence use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 876 St. Nicholas avenue, east side, 114 ft. 10 in. north of West 153rd street (Block No. 2069, Lot No. 46), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 22, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that St. Nicholas avenue, and St. Nicholas place are in a residence and business use district; West 155th street is in a business and residence use district; and West 154th street is in a residence use district; and

WHEREAS, the decision of the borough superintendent, dated October 6, 1942, reads:

"In reply to your application for certificate of occupancy for the purpose of parking and storing more than five motor vehicles at above premises, you are advised that your application is hereby denied for the reason that these premises are located in a residence district where this proposed occupancy is prohibitive under Section 3 of the Building Zone Resolution."

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and

WHEREAS, the applicant states that the premises consist of a plot of ground having a frontage of 40 ft. and a depth of 107 ft. and that it is proposed to use the premises for a term of two (2) years, for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that there was no justification for the exercise of discretion to grant a zoning variance under section 7, subdivision h, of the zoning resolution, and that the applicant failed to substantiate a basis to warrant exercise of discretion to grant under section 21 of the zoning resolution and is therefore not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, dated October 6, 1942, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

805-42-BZ.

APPLICANT—A. H. Salkowitz, for Terminal Garage, Incorporated, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 7c of the zoning resolution, to permit partly in an unrestricted use and partly in a business use, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles (buses) and also as a motor vehicle repair shop.

PREMISES AFFECTED—54-47 74th street, northeast corner of 57th avenue (Block No. 2805, Lot Nos. 10, 142 and 151), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Paul Windels, A. H. Salkowitz and M. J. Fornatora.

For Opposition: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (805-42-BZ)

WHEREAS, A. H. Salkowitz, for Terminal Garage, Inc., owner, filed November 18, 1942, an application under section 7c of the zoning resolution, to permit partly in an unrestricted use and partly in a business use district, the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles (buses) and also as a motor vehicle repair shop; premises 54-47 74th street, northeast corner of 57th avenue (Block No. 2805, Lot Nos. 10, 151 and 142), Maspeth, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting December 22, 1942, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the zoning resolution show that Grand avenue is an unrestricted and business use district; 57th avenue is in a business and residence use district; and 74th street is an unrestricted, business and residence use district; and

WHEREAS, the decision of the borough superintendent dated October 26, 1942, on N. B. Applic. No. 917-42, reads:

"1. The erection of a storage garage for more than five (5) motor vehicles and auto repair shop, extending from an unrestricted use area into a business use area is prohibited by Art. II, Section 4 of the Building Zone Resolution."

and

WHEREAS, the applicant states that the premises consist of an irregular shaped plot of ground having a frontage of 526 ft. on 74th street, 42 ft. on Grand avenue, 220 ft. on 57th avenue, and a distance of 275 ft. along the easterly

lot line; that it is proposed to erect upon the plot a one and two story, Class 3 building, 385 ft. by 174 ft., irregular in area, to be used as a garage for more than five (5) motor vehicles (buses) and also, as a motor vehicle repair shop and offices and that the southerly portion of the proposed building extends into the business use district for a distance of 100 ft. and the remainder of the building is in an unrestricted use district; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board; and

WHEREAS, the Board deemed that this was a proper case in which to exercise discretion to grant under section 7, subdivision c, of the zoning resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution, and that the application be and it hereby is *granted* under section 7c thereof, to permit the extension of the proposed bus garage and repair shop into the business district substantially as indicated on plans filed with this application, *on condition* that in all other respects, all laws, rules and regulations applicable to the occupancy of the building and the premises shall be complied with, subject to such further conditions as the Board may decide necessary upon consideration of the final plans which shall be submitted to the Board for approval prior to same being submitted to the borough superintendent; that all permits shall be obtained and all work completed within one (1) year from the date of approval of such plans.

APPEAL FROM ADMINISTRATIVE DECISION.

840-42-A.

APPLICANT—A. H. Salkowitz, for Terminal Garage, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—54-47 74th street, northeast corner of 57th avenue (Block No. 2805, Lot Nos. 10, 142 and 151), Maspeth, Borough of Queens.

APPEARANCES—

For Applicant: Paul Windels, A. H. Salkowitz and M. J. Fornatora.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Placed on Reserve Calendar, for consideration after plans have been submitted for approval by the Board under resolution adopted on December 22, 1942, under Calendar No. 805-42-BZ.

Adjourned: 11:10 A. M.

JOSEPH J. DOYLE, Chief Clerk.

REGULAR MEETING.

TUESDAY AFTERNOON, DECEMBER 22, 1942.

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn.

ZONING CASES.

454-37-BZ.

APPLICANT—Lama and Proskauer, for Mary A. Breslin and Elsie F. Breslin, owners (Joseph Papagno, lessee).

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the acting borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting partly in a business use

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and partly in a residence use district for a temporary term of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—9105-9115 Third avenue, east side, 31 ft. 4¼ in. south of 91st street and 310-320 91st street (Block No. 6086, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and John McMullen.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION (454-37-BZ)

WHEREAS, Lama and Proskauer, for Mary A. Breslin and Elsie F. Breslin, owners (Joseph Papagno, lessee), filed September 22, 1937, an application under section 7h of the zoning resolution, to permit, partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 9105-9115 Third avenue, east side, 31 ft. 4¼ in. south of 91st street, and 310-320 91st street (Block No. 6086, Lot No. 6), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board January 10, 1939, on certain conditions, for a temporary term of two (2) years, permit extended December 3, 1940 and applicant requested a further extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted on January 10, 1939, as amended December 3, 1940, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the zoning resolution and that the application be and it hereby is *granted under section 7h, for a temporary term of two (2) years from the date of this amended resolution*, to permit the premises under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure-car type shall be so stored or parked; that the plot shall be leveled to the grade of the surrounding streets and surfaced with steam cinders or other material suitably rolled and bound to prevent dusting; that there shall be erected on the interior lot lines, where walls of existing buildings do not occur, substantial fences; that a similar fence shall be erected on 91st street with no opening therein to 91st street; that the sole entrance to the property shall be from Third avenue; that on the Third avenue building line a substantial fence shall be erected, which, *for a period of one year from the date of this amended resolution*, may consist of the existing billboards; that no additional signs shall be erected on the premises other than a sign at the entrance advertising the parking use, such sign not to exceed 15 sq. ft. in area; that during the term of this variance the plot shall be used for no other use than that herein permitted; that proper aisles for easy access and egress shall be maintained at all times; that no buildings shall be erected on the premises, except a building not over 150 sq. ft. in area and one story in height, which may be of frame construction, as an office and shelter for the attendant; that such portable fire-fighting appliances shall be installed as the fire commissioner may direct; that the curb cut opposite the entrance shall not exceed 15 ft. in width."

99-40-BZ.

APPLICANT—Kommel and Zucker, for Emanuel Hellner and Yetta Weiniger, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the borough superintendent) previously granted on condition, under section 7h of the zoning resolution, permitting in a business use district, for a term of two (2) years, the parking and storage of more than five (5) motor vehicles (such parking and storage shall be restricted to Lot No. 32).

PREMISES AFFECTED—163-165 Boerum street, north side, 200 ft. east of Graham avenue (Block No. 3071, Lot Nos. 32 and 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis M. Kommel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (99-40-BZ)

WHEREAS, Samuel Falk, for Emanuel Hellner and Yetta Weiniger, owners, filed January 27, 1940, an application under section 7h of the zoning resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 163-165 Boerum street, north side, 200 ft. east of Graham avenue (Block No. 3071, Lot Nos. 32 and 33), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board, on January 21, 1941, on certain conditions and the applicant requested an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of January 21, 1941, only in so far as it has reference to the term of the permit, so that as amended, this portion of the resolution shall read:

*"for a term of two (2) years from the date of this amended resolution, on condition * * *."*

430-41-BZ.

APPLICANT—Charles Lee Koester, for Henrue Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a residence use district, the erection of a gasoline service station and also auto laundry.

PREMISES AFFECTED—143-01 Farmers boulevard and 179-02 143rd avenue, southeast corner (Block No. 3803, Lot No. 139), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (430-41-BZ)

WHEREAS, Charles Lee Koester, for Henrue Corporation, owner, filed on May 12, 1941, an application with the Board of Standards and Appeals, from a decision of the borough superintendent, affecting premises: 143-01 Farmers boulevard and 179-02 143rd avenue, southeast corner (Block No. 3803, Lot No. 139), Springfield, Borough of Queens; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

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819-41-BZ.

APPLICANT—Alex. J. MacManus, for Bank of New York, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a retail use district, the conversion of occupancy of an existing building to laundry and also the use of more than 5% of the area of the building for manufacturing purposes.

PREMISES AFFECTED—61 West 55th street, north side, 208 ft. east of Sixth avenue (Block No. 1271, Lot No. 9½), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (819-41-BZ)

WHEREAS, Alex. J. MacManus, for the Bank of New York, owner, filed on September 23, 1941, an application with the Board of Standards and Appeals, from a decision of the borough superintendent, affecting premises: 61 West 55th street, north side, 208 ft. east of Sixth avenue (Block No. 1271, Lot No. 9½), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

877-41-BZ.

APPLICANT—Rosario E. Russo, for John Theofel, owner (Breitfellow Motors, lessee).

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the maintenance of a motor vehicle repair shop.

PREMISES AFFECTED—36-09 Prince street, east side, 226.3 ft. south of Northern boulevard (Block No. 4971, Lot Nos. 16, 18 and 116), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (877-41-BZ)

WHEREAS, Rosario E. Russo, for John Theofel, owner (Breitfellow Motors, lessee), filed on October 10, 1941, an application with the Board of Standards and Appeals, from a decision of the borough superintendent, affecting premises: 36-09 Prince street, east side, 226.3 ft. south of Northern boulevard (Block No. 4971, Lot Nos. 16, 18 and 116), Flushing, Borough of Queens; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

1045-41-BZ.

APPLICANT—Irving Margon, for 207 East 76th Street Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit in a business use district, the conversion of occupancy of a building to a wet wash laundry.

PREMISES AFFECTED—207 East 76th street, north side, 105 ft. east of Third avenue (Block No. 1431, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (1045-41-BZ)

WHEREAS, Irving Margon, for 207 East 76th Street Corporation, owner, filed on December 3, 1941, an application with the Board of Standards and Appeals, from a decision of the borough superintendent, affecting premises: 207 East 76th street, north side, 105 ft. east of Third avenue (Block No. 1431, Lot No. 5), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

1082-41-BZ.

APPLICANT—Jacob L. Steisel, for Exner Realty Corporation, owner (Michael Wasula and David Schlomchug, lessees).

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the zoning resolution, to permit partly in an unrestricted use and partly in a residence use district, the erection and maintenance of a garage for more than five (5) motor vehicles and also a gasoline service station.

PREMISES AFFECTED—435-441 East 109th street, northwest corner of East River drive (Block No. 1703, Lot Nos. 18 and 22), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (1082-41-BZ)

WHEREAS, Jacob L. Steisel, for Exner Realty Corporation, owner (Michael Wasula and David Schlomchug, lessees), filed on December 16, 1941, an application with the Board of Standards and Appeals, from a decision of the borough superintendent, affecting premises: 435-441 East 109th street, northwest corner of East River drive (Block No. 1703, Lot Nos. 18 and 22), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

APPEALS FROM ADMINISTRATIVE DECISIONS.

722-42-A.

APPLICANT—Sidney Daub, for Level Realty Corporation, owner, Alexander's Department Stores, Incorporated, lessee.

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SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—2515 Grand concourse, west side, 106.34 ft. north of East Fordham road (Block No. 3167, Lot No. 76), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 12, 1943 at 2 P. M., for further consideration by the Board.

758-42-A.

APPLICANT—Sidney Daub, for The Brooklyn Philanthropic League Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—316 South Fifth street, south side, 80 ft. west of Rodney street (Block No. 2461, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney Daub.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to February 2, 1943 at 2 P. M., for inspection by a Committee of the Board and further consideration.

803-42-A.

APPLICANT—W. G. Griffith for Swift and Company, subsidiary of United Dressed Beef Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—786 First avenue and 400 East 44th street, southeast corner and north side of East 43rd street, 150 ft. east of First avenue (Block No. 1355, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: W. G. Griffith.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 12, 1943 at 2 P. M., for inspection by a Committee of the Board and further consideration.

843-42-S.

APPLICANT—Robert Gottlieb, Dollar Savings Bank, owner (L-X Brass Company, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent.

PREMISES AFFECTED—4410-4414 Park avenue, northeast corner of East 181st street (Block No. 3037, Lot No. 35), Borough of The Bronx.

APPEARANCES—

For Applicant: Robert Gottlieb.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 5, 1943 at 2 P. M. for additional plans to be filed not later than January 2, 1943.

887-42-A.

APPLICANT—John D. Anderson, for City of New York, owner (Defense Plant Corporation, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—29-48 Hunters Point avenue, southwest corner of 30th street (Block No. 292, Lot No. 28), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 5, 1943 at 2 P. M., for further consideration by the Board.

888-42-A.

APPLICANT—John D. Anderson, for City of New York, owner (Defense Plant Corporation, lessee).

SUBJECT—Appeal from a decision of the acting borough superintendent.

PREMISES AFFECTED—29-38 Hunters Point avenue, southwest corner of 30th street (Block No. 292, Lot No. 28), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Laid over to January 5, 1943 at 2 P. M., for further consideration by the Board.

385-42-A.

APPLICANT—Sound Masters, Incorporated, lessee and 165 West 46th Street Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—165 West 46th street and 1560 Broadway, east side, 40 ft. north of West 46th street (Block No. 999, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Travis C. Wood, Jr., and H. J. O'Keefe.

ACTION OF BOARD—Appeal reopened and restored to the Calendar.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

732-42-S.

APPLICANT—I. B. Kleinert Rubber Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—20-09 128th street and south side 20th avenue, from 128th to 129th streets (Block No. 4173, Lot Nos. 19, 31 and 44), College Point, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

796-42-A.

APPLICANT—S. Walter Katz, for Beatrice Shankman, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—101 Greene street, west side, 244 ft. 10 in. north of Spring street (Block No. 500, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: John Leonard and William Krimsky.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

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ACTION OF BOARD—Appeal withdrawn after discussion.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

267-42-S.

APPLICANT—Sidney L. Strauss, for MacFarlane Fire Prevention Corp., for Meyline Realty Corporation, Inc., owner.

SUBJECT—Variation of the labor law as cited in orders and a decision of the fire commissioner and a decision of the borough superintendent.

PREMISES AFFECTED—456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn).

APPEARANCES—

For Applicant: Sidney L. Strauss.
For Administration: Fred Dallem, Dep't of Housing and Buildings and Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner
Blum and Deputy Chief Gunn..... 3
Negative: Commissioner Savage 1

THE RESOLUTION (267-42-S)

WHEREAS, Sidney L. Strauss, for McFarlane Fire Prev. Corp. for Meyline Realty Corp., Inc., owner, filed March 31, 1942, an application for variation of the labor law as cited in orders and a decision of the fire commissioner and a decision of the borough superintendent, premises 456-474 Johnson avenue, south side, 100 ft. west of Porter avenue (Block No. 2992, Lot Nos. 25-32), Borough of Brooklyn; and

WHEREAS, Order No. 8016-LF, issued by the fire commissioner February 3, 1942, reads:

"1. Provide an adequate interior electric fire alarm system in accordance with the rules of the Board of Standards and Appeals and the enclosed approved layout. Section 279 Labor Law",

and
WHEREAS, Order No. 8017-LF, issued by the fire commissioner February 3, 1942, reads:

"An inspection of the premises 456-74 Johnson Avenue, Borough of Brooklyn, shows that a fire drill should be established and maintained therein according to the requirements of Section 279 of the Labor Law."

and
WHEREAS, the said orders were referred to in a decision of the Fire Commissioner, dated March 27, 1942; and

WHEREAS, the decision of the Borough Superintendent dated July 30, 1942, on Bldg. Notice Applic. 1748-42, reads:

"1. Stairs are inadequate for number of people on floors. Comply with #278 of Labor Law."

and

WHEREAS, the applicant states that the building is 4 stories (53 ft. 2 in.) in height, 180 ft. by 79 ft. 6 in. in area; of Class 3 construction; erected in 1920; located in an unrestricted use district; and occupied for the manufacture of clothing on the 2nd, 3rd and 4th floors and machine shop on the 1st floor with a total occupancy as follows: 1st floor, 21 persons; 2nd floor, 147; 3rd floor, 170; 4th floor, 156; that the building is equipped with an automatic sprinkler system and a standpipe system, two 4 ft. steel stairs with cement treads, enclosed in brick; equipped with metal-clad doors; that these stairs lead from roof direct to street and an area of 45 sq. ft. of wall space per story is provided; that in addition thereto, stairs between exterior stair at the rear of the building extend to grade with egress therefrom through side yard directly to street; that windows on the course are fireproof; that Certificate of

Occupancy No. 26955 was issued July 9, 1924, permitting the use of the building for light manufacturing; and

WHEREAS, the applicant contends that the ceilings throughout are covered with stamped metal; that at the present time the entire premises is used as a tenant factory with two tenants on the 4th floor, one tenant on the 3rd floor engaged in the manufacture of clothing for the armed forces; two tenants on the 2nd floor and one on the 1st floor; that there are two fireproof interior stairways and one exterior screened stairway affording two means of egress to all portions of the building; that standpipe risers are in place in each of the stairhalls at opposite ends of the building; that the occupancy is slightly in excess of capacity of the stairways and no credit is given for the exterior screen stairway, which cannot be classified as a fire escape, inasmuch as it has a minimum width of 4 ft. and has direct access to the street and that in view of the fact the building is sprinklered and contains a standpipe system, it is requested that a variation of the requirements of the Labor Law for fire drill and interior fire alarm system be waived; and

WHEREAS, the applicant has submitted to the borough superintendent an amendment to Building Notice Application No. 1748-42; and

WHEREAS, the decision of the borough superintendent on such amendment dated November 25, 1942, reads:

"1. Enclosure of stairhall has to be of fireproof material and of 3-hour fire rating and minimum thickness. To be 6 in. masonry."

and

WHEREAS, the applicant further states that it is now proposed to erect two new 12 ft. by 12 ft. vestibules of fire retarded partitions, extending from floor to ceiling, to accommodate 24 persons, as indicated on drawing marked "Received December 1, 1942," filed with this application; and

WHEREAS, the applicant now contends that the borough superintendent and the fire department have agreed on the following computations for each stair: 28 persons for the width, which is 48 in., 13 persons for the landing and platform and 4 persons for the additional height over 10 ft. as permitted by the Labor Law; that this totals 45 persons, to which 16 persons are added for allowance for stair and platforms only in a sprinklered building without the fire alarm; that this grand total would be 61 persons for each stairway and there being two stairways, the total capacity of platforms, etc. would be 122 persons to which the additional capacity of the additional vestibules should be added, making a grand total, under the revised arrangement, of 170 persons, which is the total occupancy of the 3rd floor.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the borough superintendent as to Bldg. Notice App 1748-42 dated November 25, 1942 and that the application be and it hereby is granted on condition that the number of occupants on any floor shall not exceed the permitted number for the two primary means of egress with due allowance for the sprinkler system in the event the fire alarm system is not installed or with due allowance for the sprinkler system and interior fire alarm system and fire drill, if such systems are installed and maintained; that additional vestibules at stairs may be constructed of fire retarded partitions from floor to ceiling of sufficient area to provide for the proposed occupancy; that the ceilings underneath such vestibules shall be fire-retarded, including an area of three feet beyond same; that no allowance for occupancy shall be computed for the outside steel stairs, but such outside steel stairs shall be maintained with exit to the street as shown, in addition to the required means of egress; that where subdividing partitions for tenants occur on any floor, such partitions shall be in accordance with the requirements therefor and means shall be provided for all tenants at all times for access to both primary means of egress through doors in such partitions, openable at all times during working hours;

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that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

618-42-A.

APPLICANT—Frank C. Keller, for Bernie Harberg, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—38-12 27th street, north side, 85 ft. west of 38th avenue (Block No. 387, Lot Nos. 23 and 24), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (618-42-A)

WHEREAS, Frank C. Keller, for Bernie Harberg, owner, filed August 13, 1942, an appeal from a decision of the borough superintendent; premises 38-12 27th street, north side, 85 ft. west of 38th avenue (Block No. 387, Lot Nos. 23 and 24), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 13, 1942, re Alt. Applic. 1015, reads:

"1. The acceptance of an existing frame storage building in the fire limits which has not been previously approved by the department, is contrary to section 4.2.1 of the Building Code."

and

WHEREAS, the applicant states the building is one story (10 ft.) in height, 38.11 ft. by 26 ft. in area; Class 4 construction; erected in 1927; located in a business use district and occupied for the storage of vegetables and one truck; and

WHEREAS, the applicant contends that the premises, which are located in a business district, were purchased about ten years ago and it was the belief of the purchaser he could use the frame building in the rear of the property for the storage of his peddler's truck and for the storage of surplus eggs and vegetables, it now appears the building was erected in the fire limits without a permit; that the building has been in existence for the past 15 years, as indicated by affidavits filed with Alt. Applic. 1015-42 in the Dept. of Housing and Buildings; that a complaint filed with the Dept. of Housing and Buildings referring to uncontrolled water from the roof will be complied with, by erecting leaders and gutters properly drained to the sewer and the property maintained in a clean and sanitary condition; and

WHEREAS, Violation 2096-42 was issued, for erecting and maintaining a frame structure in the fire limits without an approved plan or permit; and

WHEREAS, the applicant stated that the building is shown as existing on the 1913 Sanborn Atlas.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1015, Objection 1, be and it hereby is *granted on condition* that the building shall not be increased in height or area and shall be maintained as proposed and for no other use and shall be covered on the exterior walls with metal on all sides; that all permits required shall be obtained and all work completed within three (3) months from the date of this resolution.

627-42-A.

APPLICANT—Harry Yarish, for Rita Caruso, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—216 Linwood street, west side, 100 ft. south of Arlington avenue (Block No. 3941, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry A. Yarish.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4

THE RESOLUTION (627-42-A)

WHEREAS, Harry Yarish, for Rita Caruso, owner, filed August 19, 1942, an appeal from a decision of the borough superintendent, premises 216 Linwood street, west side, 100 ft. south of Arlington avenue (Block No. 3941, Lot No. 14), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 1548-42, dated July 31, 1942, reads:

"11. Proposed increase of occupancy in a frame multiple dwelling (Old Law Tenement) is contrary to Sect. 56."

and

WHEREAS, the applicant states the building is three stories (37 ft.) in height, 22 ft. by 56 ft. in area; Class 4 construction; erected prior to 1901; located in a residence district and occupied as a Class A multiple dwelling, one family in each of the 1st, 2nd and 3rd stories, and proposed to be occupied: Cellar, ordinary; 1st floor, dwelling, one family; 2nd floor, furnished rooms, 6 persons; 3rd floor, furnished rooms, 6 persons; and

WHEREAS, the applicant contends that it is proposed to convert the old law frame tenement house from Class A to Class B occupancy, pursuant to section 8 subdiv. 2 and 6 of the Multiple Dwelling Law; that subdiv. 2, permits this change in any old law tenement; that the building will not be altered in any manner, except as directed by the Dept. of Housing and Buildings; that section 56 does not apply to this building for the following reasons: While section 56 does not permit an increase of occupancy in a frame dwelling, except from 1 to 2 families on the first floor only, under certain condition; yet in applying the said section, the definition of a family must be taken into consideration, which reads as follows under Sec. 4 sub. 2 "A family is either a person occupying a dwelling and maintaining a household . . . or 2 or more persons occupying a dwelling and living together and maintaining a common household. . . . The occupants of this dwelling will not maintain a household, since all the furnishings are the property of the Owner and the gas and electricity is furnished by the Owner. In accordance with Sec. 4 sub., 5 individuals and *even* families may occupy a Class B dwelling "transiently, as the more or less temporary abode" for which this dwelling will be used; that since the occupancy complies with Sec. 4 sub. 5 and 7, the occupants are not to be considered as families within the meaning of Sect. 4, sub. 2 and therefore there can be no increase of occupancy within the meaning of Sect. 56; and

WHEREAS, the report of the Committee of the Board, dated December 16, 1942, read at this hearing was as follows:

December 16, 1942.

Re: Cal. No. 627-42-A

Premises 216 Linwood St.,

W.S., 100 ft. south of Arlington Ave.,
Brooklyn.

In the opinion of the Board, this building, of frame construction of record as a Class A multiple dwelling, being an old law tenement, cannot be altered as proposed under the authority of the sections cited, namely, Section 8, paragraphs 2 and 6. Paragraph 2 applies only to an old law tenement which is both not more than forty feet in height and exceeds 2500 square feet in area. Paragraph 6 is a permissive provision, allowing an existing tenement house to take advantage of the

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provisions relating to multiple dwellings hereafter erected, but it also goes further in stating in no uncertain terms that "no dwelling shall be altered so as to be in violation of any provision of this chapter relating to a like class and kind of dwelling".

The decision of the Borough Superintendent in citing Section 56 sets forth the only basis for increase of occupancy in a frame, heretofore-erected tenement. A change from Class A to Class B would require compliance with the requirements for a building hereafter erected. It would obviously be impossible to comply as frame construction is not permitted for a hereafter-erected building.

The Committee recommends that the appeal be denied.

(Sgd.) HARRIS H. MURDOCK,
Chairman,

BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

JOHN E. GUNN,
Deputy Fire Chief.

Resolved, that the decision of the borough superintendent in acting on Alt. Applic. No. 1548-42, objection 11, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

639-42-S.

APPLICANT—George D. Scott, for The Liquidometer Corporation, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—41-03 to 41-09 36th street, north side, 25 ft. east of Skillman avenue, 36-16 Skillman avenue and 41-02 to 41-26 37th street (Block No. 217, Lot Nos. 15, 17, 31 and 38), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: George D. Scott and Lars D. Betterlund.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (639-42-S)

WHEREAS, George D. Scott, for The Liquidometer Corporation, owner, filed August 26, 1942, an application for variation of the labor law, as cited in an order and decision of the fire commissioner; premises 41-03 to 41-09 36th street, north side, 25 ft. east of Skillman avenue, 36-16 Skillman avenue and 41-02 to 41-26 37th street (Block No. 217, Lot Nos. 15, 17, 31 and 38), Long Island City, Borough of Queens; and

WHEREAS, Order No. 8454-LF, issued by the fire commissioner April 6, 1942, reads:

"1. Remove all articles and wares from stairway enclosures on all stories. Factory Exit Rules of Board of S. & A.

2. Arrange grills on windows on all stories so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress as per Sec. 272 of Labor Law.

3. Arrange all exit doors so same can be opened from both sides. Sec. 272 of the Labor Law."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated August 4, 1942; and

WHEREAS, the applicant states the building 1, 2 and 3 stories (40 ft.) in height; Class 1 and Class 3 construction; 265 ft. front on 37th street, 95 ft. front on 36th street; located in an unrestricted use district; erected in 1924 and 1942; occupied: Cellar, storage and factory, 6 persons; 1st story, factory, 460 persons; 2nd, office, factory and Engineering Division, 170 persons; 3d, factory, 170 persons; no change in use of occupancy is proposed; that the building is equipped with a sprinkler system, four 3 ft. 8 in. steel and concrete stairs, enclosed in masonry, equipped with 1-hour self-closing doors; and

WHEREAS, the applicant contends as to item 1 of the order, that permission is requested to leave the guards on the doors in Bldg. No. 3 (41-03 36th street) and the two desks and chairs to remain in stairhalls, as stairhalls are sufficiently large to maintain passage; as to item 2 of the order, it is requested the Board permit the metal grills or screens to remain as indicated on plans filed with this application, as these screens were installed at the recommendation of the War Department and the Federal Bureau of Investigation; and as to item 3, that all exit doors open from both sides, with the exception of fire door in Bldg. No. 2, which is equipped with a panic bolt, and it is requested this panic bolt be permitted to comply with the recommendations of the War Dept., Federal Bureau of Investigation; and

WHEREAS, the applicant has filed copies of recommendations of the War Dept. and the Federal Bureau of Investigation.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in Order No. 8454-LF of the fire commissioner and that the application be and it hereby is *granted*, as to Objection 1, *on condition* that no articles or wares shall be stored within the stairway enclosure on any story, except one desk and one chair in each enclosure, as indicated on plan filed with this application marked "Received November 13, 1942" for the use of the guard in each case on the platform first above the street level; that at all times, space equal to the width of the stair shall be provided between the newel and such desk; as to Objection 2, *on condition* that the grilles on windows, as indicated, may be continued during the term of the present emergency, provided all exit doors are maintained as indicated on such plan; as to Objection 3, that no panic bolts shall be installed on any such exit doors, except on one door on 37th street in Building No. 2; that the panic bolt shall be of an approved type; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 568-25-A; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner.

645-42-A.

APPLICANT—Samuel Rosenblum, for Esther Burros, owner.

SUBJECT—Appeal from orders of the fire commissioner.

PREMISES AFFECTED—212-214 Water street, west side, 87 ft. 4 in. south of Beekman street (Block No. 95, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum, Elias Burros and Irving Burros.

For Administration: Insp. Maher and Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (645-42-A)

WHEREAS, Samuel Rosenblum, for Esther Burros, owner, filed on August 31, 1942, an appeal from orders of the fire commissioner affecting premises 212-214 Water street, west

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side, 87 ft. 4 in. south of Beekman street (Block No. 95, Lot No. 3), Borough of Manhattan; and

WHEREAS, Order No. 31994-LC, issued by the fire commissioner August 26, 1942, reads:

"With reference to your application dated August 17th, 1942, for a permit to store burlap bags and burlap bagging at above location, I regret to inform you that this department is without power to grant such a permit for the reason:

Sec. C19-149.0-C-1, Article 26, Administrative Code prohibits the issuance of permit for the storage of combustible fibre in any building or premises situated within 50 ft. of the nearest wall of a building occupied as a hospital.

YOU ARE THEREFORE, HEREBY, ADVISED TO:

1. Discontinue the storage of combustible fibre or material (burlap bags or burlap bagging) on these premises in a quantity exceeding one ton. Sec. C19-149.0-B, Article 26, Administrative Code."

and

WHEREAS, Order No. 15483-LF, of the fire commissioner, issued August 3, 1942, reads:

"1. Provided a fixed fire extinguishing system or other means for the extinguishment of fire satisfactory to the fire commissioner, throughout building. C19-161.0 Adm. Code."

and

WHEREAS, the applicant states the building is five stories (56 ft.) in height; 30 ft. 8 in. by 87 ft. 7 in. in area; of Class 3 construction; erected prior to 1900; located in an unrestricted use district, and used since 1940 as follows: Cellar, storage, no persons; first floor, office and receiving, 3 persons; second floor, repair of burlap bags, 6 persons; third floor, storage of baled stock, no persons; fourth floor, storage of baled stock, no persons; fifth floor, storage of baled stock, no persons; that the entire premises is used for the manufacturing and dealing in new and used burlap bags; that the records of the Building Department indicate that the building was approved for warehouse, stores and offices under CA No. 1346-93 with the following permissible loads: first floor, 160 lbs.; second floor, 150 lbs.; third floor, 135 lbs.; fourth floor, 135 lbs.; fifth floor, 135 lbs.; that these loads are sufficient for the existing use of the building as a storage warehouse; and

WHEREAS, the applicant contends as to Item 1 of Order No. 15483-LF, that the tenant is an importer and exporter of new and used burlap bags; that this material is not a combustible fiber as defined in the Administrative Code, but is a finished article, that as occasion arises, repair is necessary and there might be 1 to 3 tons of loose bags, but the main stock is all baled material; that there is no loose stock carried above the second floor; that the first floor is used for office and delivery of merchandise and the repair work and bailing is conducted on the second floor; that house-keeping conditions are excellent; that there is plenty of aisle space; that stock is carried, so as to leave plenty of room at top and the windows in the rear are protected by iron shutters; that the building is accessible from front and rear and presents no fire fighting problem; that water buckets are distributed throughout and any additional fire extinguishers required by the Board, will be installed; that it is impossible to obtain any other form of equipment at the present time; that this occupant has been in the same business for 44 years, during which time they have had no fires; that in view of the fact, that much of the material is mainly carried in baled quantities, that the building is small in height and area and easily accessible and has a small occupancy, it is requested the Board waive the requirement of complying with this order; and

WHEREAS, the applicant contends as to Item 1 of Order No. 31994-LC, that to the north of the premises under appeal is a vacant space of 30 ft. 7 in. separating this building from the hospital and the northerly wall of the applicant's building is unpierced, and the rear wall has all openings protected with iron shutters, thus there are no exposures to the hospital; that these premises do not contain combustible

fiber as defined in the Code; that the occupants have been in these premises for two years and no permit heretofore has been required; and

WHEREAS, these premises were inspected by a committee of the Board;

Resolved, that the order of the fire commissioner, No. 31994-LC, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the trap doors to existing stairs and hoistway shall be equipped with fusible links so as to close easily and that such trap doors shall be metal covered; that the interior stairs from basement to first floor shall be enclosed in a partition approved for one-hour fire test; that a thermostatic rate of rise alarm shall be installed throughout the building with connection to central station fire headquarters; that no opening shall be constructed in the side lot line walls; that the shutters on the rear wall shall be maintained in good condition and shall normally be kept closed at all times except on the rear windows on the second floor; that hand holes shall be constructed in the shutters for two vertical lines, so as to permit opening from the exterior in the event of fire; that when materials are available, an exterior fire escape on the rear shall be constructed; that adequate aisles from front to rear on all stories shall be maintained at all times, including an aisle at least five feet in width along the rear wall and that materials shall be stored in accordance with the requirements of Section C19-149.0b and not piled within 18 inches of the ceiling; and, *granted* only so long as the premises are maintained in accordance with the requirements of this resolution and the material is stored as set forth; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto; that as to Order No. 15483-LF, Objection 1, *granted on condition* that the requirements of this resolution are complied with.

666-42-A.

APPLICANT—J. A. Flynn, for Nuns of the Order of St. Dominic, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—89-25 161st street, east side, 180.96 ft. south of 89th avenue (Block No. 9760, Lot Nos. 31 and 32), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: J. A. Flynn.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (666-42-A)

WHEREAS, J. A. Flynn, for Nuns of the Order of St. Dominic, owner, filed on September 10, 1942, an appeal from a decision of the borough superintendent affecting premises 89-25 161st street, east side, 180.96 ft. south of 89th avenue (Block No. 9760, Lot Nos. 31 and 32), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated September 4, 1942, on Misc. Applic. No. 3150-42 reads:

"2. No burner shall be installed in any boiler, heater, range or stove unless each boiler, heater, range or stove be connected with a separate flue in a legal chimney. Rule 12.1, Oil Burner Rules, Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building which is under construction will be 3 stories and basement (48 ft. 10½ in.) in height, 103.08 ft. by 48 ft. 8 in. in area, of class 1 construction, located in a business use, C area district and occupied as follows: basement—cafeteria, 300 persons;

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1st floor—class rooms—210 persons; 2nd floor—classrooms—210 persons; 3rd floor—classrooms—210 persons; and

WHEREAS, the applicant states it is proposed to install two mills #4-16 C.I. sections, each 65 H.P. boilers with a maximum operating pressure of 10 lbs. each and fired with a Todd Rotary Model "B" type, R-A-H approved oil burner having a capacity of 4,440,000 B.T.U. per hour each; that the estimated temperature at the point of entrance to chimney is 500° F.; that the chimney complies with the requirements of the Administrative Building Code for a medium temperature device; and

WHEREAS, the applicant contends that compliance with the objection of the borough superintendent would be a hardship and necessitate a considerable expense to the owners; that the heating boilers are alternates and only one will be operated at a time, except during unusually cold weather, when two boilers will be placed in service during school hours.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 3150-42, Objection 2, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the boilers shall be maintained as proposed; that the oil burners shall be of the type as approved by the Board; that proper stack dampers shall be maintained so as to shut off one boiler when it is not in operation; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, including the Oil Burner Rules of the Board of Standards and Appeals.

670-42-A.

APPLICANT—Eugene Buonamici, for A. Bennett Estate, owner.

SUBJECT—Appeal from an order of the fire commissioner. PREMISES AFFECTED—2797 Third avenue, west side, 200 ft. south of East 148th street (Block No. 2327, Lot No. 28), Borough of Bronx.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Dep't.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative 0

THE RESOLUTION (670-42-A)

WHEREAS, Eugene Buonamici, for A. Bennett Estate, owner, filed September 11, 1942, an appeal from an order of the fire commissioner, affecting premises 2797 Third avenue, west side, 200 ft. south of East 148th street (Block No. 2327, Lot No. 28), Borough of The Bronx; and

WHEREAS, Order No. 31842-LC, issued by the fire commissioner August 12, 1942, reads:

"Pursuant to the requirements of the Rules governing the use of equipment for spraying of paints, varnishes, lacquers, and other flammable surface coating, adopted by the Board of Standards and Appeals, the following must be done:

1. Discontinue the spraying of any flammable paint, varnish, lacquer or any other inflammable or combustible substance, mixture or compound commonly used for painting, varnishing, staining or similar purpose on these premises.

Reason: The method of heating these premises is by means other than the use of steam or hot water circulating system. Rule 1.3.3."

and

WHEREAS, the applicant states that the building is two stories (28 ft.) in height; 51 ft. by 71 ft. in area; of Class 4 construction; erected 1850; located in an unrestricted use district and occupied: cellar, storage, 2 persons first floor, manufacturing statuary and millinery, 4 persons; second floor, statuary, 4 persons; and

WHEREAS, the applicant contends that he is the sole occupant of the second floor; that due to war priorities, he is unable to obtain material for providing other means of heat; that the prohibitive cost of such material would force him out of business and create an undue hardship on him; that if the Board permits the continuation of the present method of heating, as indicated on plans filed with this appeal, he proposes to comply with all other items of the Fire Dept. order; and

WHEREAS, at the hearing, there was no appearance on behalf of the applicant; and

WHEREAS, the premises were inspected by a Committee of the Board.

Resolved, that the appeal be and it hereby is dismissed for lack of prosecution.

701-42-A.

APPLICANT—Dominick Salvati, for Frank Elia, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—510 East 101st street, southwest corner of Foster avenue (Block No. 8150, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Dominick Salvati.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn. 4
Negative: 0

THE RESOLUTION (701-42-A)

WHEREAS, Dominick Salvati, for Frank Elia, owner, filed September 25, 1942, an appeal from a decision of the borough superintendent affecting premises 510 East 101st street, southwest corner, Foster avenue (Block No. 8150, Lot No. 45), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 3, 1942, on N. B. Applic. No. 322-42, reads:

"1. A frame building within the fire limits is contrary to Sect. 4.1.2 of the Building Code."

and

WHEREAS, the applicant states that the proposed building will be one story and attic (20 ft.) in height; 20 ft. by 34 ft. in area; of Class 4 construction; located in a business use, D area district and occupied as a one family dwelling; and

WHEREAS, the applicant contends that the entire block front on Foster avenue between 100th street and 101st street is vacant on both sides; that from the plot in question to Rockaway avenue, which is a few blocks distant westerly, there are a number of residence buildings of frame and stucco construction and there are no brick buildings; that the owner is a carpenter and intends to erect his home as time and money permit; that he purchased the lot with the express purpose of building this home and if this application is denied his life's ambition will not be realized; and

WHEREAS, an examination of N. B. Applic. No. 322-42 indicates that the proposed dwelling will be set back from the East 101st street building line a distance of 7 ft. into which set back front entrance and steps will project approximately 7 ft.; that side yard will be provided on the westerly side of 3 ft. in width and a rear yard of 14 ft. in width; that the dwelling will be surfaced on the exterior with novelty siding and roof will be surfaced with asphalt shingles.

Resolved, that the decision of the borough superintendent, on N. B. Applic. No. 322-42, be and it hereby is modified and that the appeal be and it hereby is granted on condition as to objection 1, that in all other respects the building shall comply with the requirements for a similar building when erected outside of the fire limits; that no portion of the dwelling shall be erected nearer than 20 ft. of the rear lot

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line; that any other building, except an accessory garage hereafter erected on the lot, shall be erected not nearer than 7 ft. to the dwelling; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

738-42-A.

APPLICANT—Irring M. Fenichel, for Abjee Realty Corporation, owner (Nu Boro Park Cleaners, lessee).

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1265-1269 39th street, north side, 120 ft. west of 13th avenue (Block No. 5294, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving M. Fenichel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (738-42-A)

WHEREAS, Irving M. Fenichel, for Abjee Realty Corporation, owner (Nu Boro Park Cleaners, lessee), filed on October 15, 1942, an appeal from a decision of the borough superintendent affecting premises 1265-1269 39th street, north side, 120 ft. west of 13th avenue (Block No. 5294, Lot No. 46), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent dated September 25, 1942, on Amendment to Misc. Applic. No. 1444-42 reads:

"Fire Prevention—

1. Proposal to install one additional 550 gallons solvent storage tank and to vary from the original approval of a Vorclone Allison System by making 4 of the tanks horizontal instead of vertical is denied. Refer proposal to the Bd. of Standards and Appeals."

and

WHEREAS, the applicant states that the building is 1 and 3 stories (12 ft. 6 in. and 30 ft. 6 in.) in height, 40 ft. by 95 ft. 2 in. in area at first floor, 20 ft. by 50 ft. in area at typical floor, of class 3 construction, erected prior to 1920, located in an unrestricted use district and occupied: cellar—storage; 1st floor—store, office, sheet metal shop; 2nd floor—dwelling—1 family; 3rd floor—dwelling—1 family; proposed to be occupied: cellar—same; 1st floor—store and office in main building, dry cleaning plant in rear and side extension—3 persons; 2nd floor—dwelling—1 family; 3rd floor—dwelling—1 family; and

WHEREAS, the applicant contends that it is proposed to vary from the approved Vorclone-Allison System, by installing an additional 550 gallon underground storage tank and to use four horizontal tanks, in lieu of vertical cone bottom tanks, as shown on the original approval issued by the fire commissioner under No. 594, of May 29, 1929; that at the time of the approval of the system, the number of tanks was voluntarily suggested by the applicant and was not a limitation established by the Fire Department; that the six tanks proposed in connection with the application for approval of the system, was considered to be ample at that time and the vertical cone bottom type of tank described in the approval was voluntarily suggested by the applicant, as being best suited for efficient operation; that the Administrative Code does not limit the number of underground tanks, but does limit the size of tanks to 1500 gallons each; that the tank to be installed in addition to the approved tanks permitted under the approval issued by the fire commissioner, will be 550 gallons capacity and will comply with the provisions of the Administrative Code and will not create any increased hazard; that this additional tank will be used exclusively for the purpose of receiving solvent from the extractors and is indispensable to proper

and efficient operation of the plant; that the horizontal tanks to be installed will comply with the specifications for tanks contained in the Fire Department approval of the System, except that they will not have cone bottoms and will be set horizontally instead of vertically; that it is proposed to use these tanks, as it is impossible under present conditions, to obtain specially built tanks of the vertical cone bottom type; that the plant will use only combustible solvents having a flashpoint not in excess of 100° F., known as solvasol or Varnaline; that the requirements of the Fire Department will be complied with, including the setting of all tanks 2 ft. below the finished floor level, encasing all tanks in 12 in. of concrete, construction of tanks to comply with the requirements of the Vorclone-Allison System approval as to thickness of metal and fabrication and the tanks will be constructed to withstand the same pressure test as prescribed for vertical tanks in the Fire Department approval and will afford the same degree of safety as could be obtained from the use of vertical tanks.

Resolved, that the decision of the borough superintendent acting on Misc. Applic. 1444-42, Objection 1, be and it hereby is modified and that the appeal be and it hereby is granted on condition that the proposed 550 gallon solvent storage tank shall be installed to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, including Section C19-51.0.b, paragraph 1 of the Administrative Code and Section 58 of the Multiple Dwelling Law; and that the existing louvre vent openings near the floor in the detergent room shall be bricked up with approved masonry; that the existing tanks proposed to be unused, as shown on revised plan marked "Received December 21, 1942" shall be filled in to the satisfaction of the fire commissioner; that in all other respects, the installation of all tanks and equipment shall comply with the general approval therefor except that the tanks may be of the horizontal type.

819-42-A.

APPLICANT—Michael Glick, for Cruikshank Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—152-156 East 121st street, southeast corner of Sylvan place (2nd floor); (Block No. 1769, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Michael Glick and F. Schaffman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (819-42-A)

WHEREAS, Michael Glick, for Cruikshank Company, owner, filed on November 24, 1942, an appeal from a decision of the borough superintendent affecting premises 152-156 East 121st street, southeast corner Sylvan place (2nd floor); (Block No. 1769, Lot No. 48), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated, November 18, 1942 on Alt. Applic. No. 1326-42 reads:

"3. Liveload for second floor should not be less than 120# for manufacturing."

and

WHEREAS, the applicant states that the building is 2 stories (25 ft.) in height, 96 ft. by 75 ft. in area, of class 3 construction, erected in 1924, located in a business use, B area district and occupied: cellar—boiler room and storage; 1st floor stores and factory—32 persons; 2nd floor—offices—90 persons; proposed to be occupied: cellar—same; 1st floor—same; 2nd floor—offices, light manufacturing, sales and show

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room—90 persons; the total floor area to be used for manufacturing not to exceed the area of the plot, that Certificate of Occupancy No. 11228 was issued July 14, 1926 on N. B. Applic. No. 345-24, permitting the present use and occupancy; and

WHEREAS, the applicant contends that it is impossible to rent the second floor for office purposes; that the number of occupants on the 2nd floor will not exceed that permitted by the present certificate of occupancy; that the 2nd floor has been designed for 60 lbs. p.s.f. liveload under the old building code and if computed now with the higher stresses allowed for steel under the present building code, the capacity of floors would be increased about 12% and as it is proposed to remove the present office partitions, the dead load will be reduced about 20 lbs. per foot, which could be computed and added to the calculated liveload; that actual permissible liveloads will be posted in the portion of the building used for manufacturing and showroom; that the present stairs are enclosed in 4 inch terra cotta partitions; that public halls are fireproof; that the stairs lead to roof by bulkhead; that stairs are of steel with marble treads and are 44 in. wide and accessible to the street and it is therefore requested that the Board permit the use of part of the second floor for light manufacturing of dresses and the sales and showroom in conjunction therewith.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. 1326-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* as to objection 3, that the liveload per superficial foot 60 lbs. shall be posted on the rear portion where manufacturing use is proposed and that at no time shall the loading of such portion of the second floor exceed said liveload; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto other than as modified by the Board under Cal. No. 820-42-S.

820-42-S.

APPLICANT—Michael Glick, for Cruikshank Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—152-156 East 121st street, southeast corner of Sylvan place (Block No. 1769, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: Michael Glick and F. Schaffman.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (820-42-S)

WHEREAS, Michael Glick, for Cruikshank Company, owner, filed on November 24, 1942, an application for variation of the requirements of the Labor Law as cited in a decision of the building superintendent, affecting premises 152-156 East 121st street, southeast corner Sylvan place (Block No. 1769, Lot No. 48), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 18, 1942 on Alt. Applic. No. 1326-42 reads:

"4. Required means of egress should comply with Section 270 of the Labor Law."

and
WHEREAS, the applicant states that the building is 2 stories (25 ft.) in height, 96 ft. by 75 ft. in area, of class 3 construction, erected in 1924, located in a business use, B area district and occupied: cellar—boiler room and storage; 1st floor—stores and factory—32 persons; 2nd floor—offices—90 persons; proposed to be occupied: cellar—same; 1st floor—same; 2nd floor—offices, light manufacturing, sales and show room—90 persons; that the total floor area to be

used for manufacturing not to exceed the area of the plot; that the building is equipped with two 44 in. interior steel and marble stairs enclosed in 4 inch terra cotta blocks, equipped with fireproof self-closing doors and leading from roof bulkhead direct to street, having 600 sq. ft. of hall space per story; that Certificate of Occupancy No. 11228 was issued July 14, 1926 on N. B. Applic. 345-24 permitting the present use and occupancy; and

WHEREAS, the applicant contends that the present stairs are enclosed in 4 inch terra cotta partitions and public halls are fireproof; that the stairs lead to roof through a legal bulkhead and are of steel construction with marble treads, 44 in. wide; that the building is only 2 stories in height; that the number of persons proposed, will not exceed that previously allowed in the existing certificate of occupancy and for these reasons, it is requested that the Board grant permission for use of part of the 2nd floor for light manufacturing of dresses and sales and showroom in conjunction therewith.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the borough superintendent on Alt. Applic. 1326-42, and that the application be and it hereby is *granted on condition*. As to Objection 4, that the fireproof corridor shall be maintained as proposed, with the two stairways leading therefrom to the street and an open stairway to roof; that at least three doorways to corridor shall be maintained, as far apart as possible from the rear space in which manufacturing is proposed to be carried on; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable other than as modified by the Board under Cal. No. 819-42-A.

824-42-A.

APPLICANT—Emile L. Capel, for Estate of Finlay Johnson Sheppard, owner (Charles C. Huitt, Executor); (Gimbel Brothers, lessee).

SUBJECT—Appeal from decision of the borough superintendent.

PREMISES AFFECTED—579 Fifth avenue, northeast corner of East 47th street (Block No. 1283, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: August P. Klein and Emile L. Capel.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (824-42-A)

WHEREAS, Emile L. Capel, for Estate of Finlay Johnson Sheppard, owner (Chas. C. Huitt, Executor) (Gimbel Brothers, lessee), filed November 25, 1942, an appeal from decisions of the borough superintendent; premises 579 Fifth Avenue, northeast corner of East 47th street (Block No. 1283, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated October 31, 1942, on Alt. Applic. 1298-42, reads:

"3. Building should be fireproof due to height and public use as per sec. 421B.C.

9. Construction of the first tier should be of 3 hr. rating as per sec. 3.2.3. B.C.

10. Elevator shaft should be encased in f.p. partitions 3 hr. rating.

11. Provide at least one lawfully enclosed stairway of incombustible materials with $\frac{3}{4}$ hr. f.p. doors in openings and at least 3 ft. 8 in. wide, leading to roof and street. Sec. 6.4.11 et seq. B.C. exit doors should swing out."

and

WHEREAS, the said decision was repeated in a decision of the borough superintendent, dated December 11, 1942; and

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WHEREAS, the decision of the borough superintendent, dated December 18, 1942, on amendment to Alt. Application No. 1298-42 reads:

"3. Building is of Class 3 nonfireproof construction, for commercial use and exceeds 50' and 4 stories in height and is contrary to provisions of Section C-26-254.0a of the Administrative Code. Reconsideration denied.

9. Repeated—reconsideration denied.

10. Repeated—Reconsideration denied.

11. Repeated—Reconsideration denied."

and

WHEREAS, the applicant states the building is four stories (61 ft.) in height, 42.5 ft. by 100 ft. in area at 1st floor, 42.5 ft. by 85.16 ft. in area at typical floor; Class 3 construction; erected in 1869; located in restricted retail use district; occupied as one-family dwelling; proposed to be occupied: Cellar, boiler room and storage; basement, caretaker's room and storage, 3 persons; 1st floor, display and sale of objects of art and antiques, 75 persons; 2nd floor, display of objects of art, 15 persons; 3rd floor, display of objects of art and antiques, 15 persons; 4th floor, vacant, no persons; and

WHEREAS, the applicant contends as to Objection 3, of the borough superintendent's decision, that reconsideration is respectfully requested as the portion of the building to be occupied is approximately 50 ft. high and is to be used only for business as follows: Cellar, boiler room and storage; Basement—janitor's room and storage; 1st floor, display and private auction sale by invitation only of objects of art and antiques; 2nd and 3rd floors, display of objects of art only; 4th floor—to be vacant and locked up; as to Objection 9, requests the acceptance of present ceiling construction which is $\frac{1}{2}$ in. plaster boards applied to a plastered ceiling; that this is an existing Class 3 nonfireproof building and erected before Jan. 1st, 1938 and classification by occupancy now to be changed to business, Secs. 10, 11, para. b, Building Code; and as to Objection 10, requests acceptance of present condition as elevator and stairhall in question is enclosed in brick and fireproof partitions; that elevator shaft is enclosed with iron grille work; as to Objection 11, requests acceptance of present enclosed stairway #2 as one lawfully enclosed stairway; that this stairway leads from top floor to street and is enclosed with incombustible materials and equipped with $\frac{3}{4}$ hr. doors at openings; that the stair is 30 in. wide and egress extends through fire-passage in cellar to rear yard and thence to street; that an adjoining enclosed stair leads through roof scuttle to roof from top floor; that the occupancy on 2nd and 3rd floors is less than 50 persons and doors are not required to swing outwardly, Sec. 6.2.2. para. A, Building Code; and

WHEREAS, the premises were inspected by a committee of the Board;

Resolved, that the decision of the borough superintendent on Alt. Applic. 1298-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition*, as to Objection No. 3, as revised December 18, 1942, and Objections 10 and 11, that the building shall not be increased in height or area; that it may be occupied as proposed for a term of one year; *on condition* that such occupancy shall be limited to the display and sale of objects of art and antiques and while the building is under lease to Gimbel Brothers; that the interior enclosed stairway shall be maintained with all doors leading thereto or therefrom for the entire height metal covered and self-closing; that the door at the top leading from stairway to roof shall be clearly marked and the scuttle maintained with an easy opening device; that lights shall be maintained at all times within such stairway enclosure while the building is being occupied; that the elevator shall comply with all requirements therefor except that the present grille enclosure may be maintained; that fireproof exits from such stairway to rear yard leading to street shall be maintained and kept lighted while the building is occupied; that there shall be installed in the rear yard, a temporary exterior stairway leading from two windows of two separate rooms on the first story with exit therefrom through rear yard to East 47th street; that such stairway

may be of substantial wood construction; that the fourth story shall remain vacant and unoccupied; that the cellar shall not be occupied for storage in connection with the proposed business occupancy; that such portable fire-fighting appliances shall be maintained throughout the building as the fire commissioner shall direct; as to Objection 9, that the cellar ceiling shall be fire-retarded throughout with material approved for one-hour fire test; that all doors shall open outwardly in the direction of exit; that exit lights shall be maintained at all exit doors on all floors.

832-42-A.

APPLICANT—E. I. Dupont DeNemours and Company owner.

SUBJECT—Appeal from a decision of the fire commissioner re packaging of Zerone, Five Star and Genuine General Motors Anti-freezes in glass bottles (capacity of bottles not in conformity with Administrative Code specifications).

APPEARANCES—

For Applicant: William H. Hickin.

For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn

Negative:

THE RESOLUTION (832-42-A)

WHEREAS, E. I. DuPont DeNemours and Company owner, filed November 30, 1942, an appeal from a decision of the fire commissioner, denying permission to package inflammable mixtures (anti-freeze mixture) in glass jug having a capacity in excess of 4 ounces; and

WHEREAS, the decision of the fire commissioner, dated October 30, 1942, reads:

"In response to your communication of the 30th inst. in which you request permission to package inflammable mixtures (Anti-Freeze Mixture) in glass jug having an overflow capacity of approximately 136 oz. to be used for one gallon or 128 liquid oz. of the mixtures, please be advised that said request is hereby denied for the reason that Section C19-59.0, Article 9 of the Administrative Code of the City of New York prohibits the use of glass bottles having a capacity in excess of 4 oz."

and

WHEREAS, the applicant contends that an application was filed with the Fire Department for permission to package Zerone, Five-Star Anti-Freeze and Genuine General Motors Anti-Freeze in glass containers having a capacity of one gallon packed for shipping in suitable solid or corrugated fibreboard boxes of a size to hold not more than four 1 gallon glass containers; that the product "Genuine General Motors Anti-Freeze", although manufactured by the applicant, is marketed by General Motors Parts Division of General Motor Sales Corporation in containers bearing the name and address of said corporation and under the trade name of Genuine General Motors Anti-Freeze; and

WHEREAS, the applicant contends that it has since 1937 packed such products in accordance with the Administrative Code as modified by the Board under Cal. No. 488-37-A, to permit the use of tin containers without a replaceable cap and

WHEREAS, the applicant contends that these anti-freezes consist of Methanol, which is also known as wood alcohol, methyl alcohol, methyl spirits, and Columbian spirits, to which are added coloring matter and a small amount of rust inhibitor; and

WHEREAS, the applicant contends that these products are not sold for household use, as intended by Section C19-59.0 of the Administrative Code, as these products are sold primarily in automobile service stations, garages, car dealers and similar type of dealer outlets; that these products

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ive no household purpose, as the coloring matter contained therein would prevent their use for cleaning or polishing purposes; and

WHEREAS, the applicant contends that the War Production Board has ordered the discontinuance of the use of tin plate and terne plate for packing these materials and the only container which can be used is a glass bottle and permission of the Board is therefore requested to market these products in glass bottles of one quart and one gallon capacity made to the specifications shown on drawing No. C-391 of the Owens-Illinois Glass Company, filed with this appeal, showing a bottle weighing 45 ounces, constructed of Duroglass, having a capacity of 136 ounces and that these bottles will be equipped with closures or screw caps to be manufactured of metal until the use of metal for such purposes is prohibited by the War Production Board or other duly authorized Federal agency and in the event of such prohibition, such screw caps will be manufactured of plastics or other suitable material; that all screw caps used will be properly threaded to tightly fit the bottleneck threading and be equipped with a gasket or liner of suitable pulp or other adaptable composition material, so as to make a durable precision contact with the flat lip on top of the neck of the glass container so as to create perfect sealing efficiency.

Resolved, that the decision of the fire commissioner, dated October 30, 1942, be and it hereby is *modified* and that at the appeal be and it hereby is *granted on condition* that the glass containers shall be "Duroglass" as proposed and labeled as proposed and used only for the purposes set forth; that this modification shall apply only during the term of the present war emergency and for six (6) months thereafter.

1-42-A.

APPLICANT—Alfred Fellheimer, for 49 East 52nd Street Corporation, owner (Columbia Broadcasting System, Incorporated, lessee).

SUBJECT—Appeal from a decision of the Borough superintendent.

REMISES AFFECTED—49 East 52nd street, north side, 75 ft. east of Madison avenue (Block No. 1288, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred Fellheimer and Clarence R. Jacobs.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Mirdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (841-42-A)

WHEREAS, Alfred Fellheimer, for 49 East 52nd Street Corp., owner (Columbia Broadcasting System, Inc., lessee), filed on November 30, 1942, an appeal from a decision of the borough superintendent, affecting 49 East 52nd street, north side, 75 ft. east of Madison avenue (Block No. 1288, Lot No. 24), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 25, 1942 on Misc. App. No. 1932-42 reads:

"1. Gasoline tank of approved type to be located and protected, as called for in Sec. C19-69.0. This applies to both the 550 gallon tank and also the 30 gallon tank, which latter is located within the engine room.

5. Secure the approval of the Board of Standards and Appeals for the use of the engine using gasoline as fuel and located within the building."

WHEREAS, the applicant states that the building is 7 stories (88 ft.) in height, 75 ft. by 81.33 ft. in area, of Class 1 construction, erected 1909, located in a business use

district and used and occupied as follows: Sub-cellar, mechanical equipment, 30 persons; cellar, 1st, 2nd, 3rd and 4th stories, broadcasting studios, 300 persons; on the cellar floor, 25 persons on the 1st floor, 300 persons on the 2nd floor, 130 persons on the 3rd floor, 130 persons on the 4th floor, 5th floor, office and studios, 130 persons, 6th floor, acoustical and engineering departments, 130 persons, 7th floor, laboratories, 50 persons, penthouse, laboratories, 15 persons and proposed to be used as follows: sub-cellar, cellar, 1st, 2nd and 3rd stories, same, 4th floor, studios and mechanical equipment, 5th floor, studios and lounge, 6th floor, offices, 7th and penthouse, laboratories; and

WHEREAS, it is proposed to install a 550 gallon gasoline storage tank, a gasoline driven Fairbanks Morse, 80 K.W., 3 phase, 60 cycle, 120-208 volt A.C. generator set and a 30 gallon auxiliary gasoline tank, as indicated on plans filed with this appeal; and

WHEREAS, the applicant contends that in order to provide an emergency current supply for the broadcasting studios in the event of an interruption in current supplied by public utility connections, it was decided after study, the proposed installation be made; that the 30 gallon gasoline tank is necessary for starting the motor and the 550 gallon tank is necessary to insure that the generator can be operated for a period of 70 hours which is the estimated time required for repairs to a break in the public utility lines; that the proposed generator will supply current for sump pumps, fire pumps, exhaust fans, stairway lighting, studio lighting and audio energy; and

WHEREAS, the applicant requests that the Board authorize the issuance of the permit for the installation as proposed, in the interests of national defense and to insure the maintenance of broadcasting service during air raid attack, the absence of which might cause confusion in areas where air raid signals can only be distributed by radio.

Resolved, that the decision of the borough superintendent on Misc. Applic. No. 1932-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* as to Objection 1, that the 550 gallon tank shall be of an approved type complying with all the requirements therefor, except that it may be installed substantially as indicated on plans filed with this appeal marked "Received December 22, 1942" and may be above the cellar floor level and shall be completely encased in 4 in. of concrete reinforced with 20 gauge wire cloth 2 in. by 2 in. mesh as proposed; that the vent line which shall be of the same diameter as the fill line, may terminate as shown at a point approximately 12 ft. above the sidewalk but not nearer to any window opening than 5 ft.; that the supplementary tank shall not exceed 30 gallon capacity and may be located in the engine room, as shown at the rear, provided such engine room is separated from the balance of the building by fireproof construction; that the feed and return line may be installed as proposed, provided all joints are welded in accordance with the Welding Rules of the Board, including the connections to the tank and such pipe is protected at all joints through the basement by a wire screen protection guard; that the pump proposed near the storage tank shall be of an approved type and shall be interconnected with the main ventilating fan in the basement and also the ventilating fan in the engine room, so that such ventilating systems will be in operation at all times while the pump itself is in operation; that the ventilation of the engine room shall be as indicated, with an intake and exhaust located above the engine room in a separate compartment with the intake and exhaust from the open rear yard; as to Objection 5, that the manufacturer shall file with the Board an application for general approval for the use of the Fairbanks equipment as proposed, namely, Fairbanks, Morse Company Gasoline Engine Driven Generator Set, 80 K.W., operating with 3 Phase, 60 Cycle, 120-208 Volt A.C. current provided the requirements of this resolution are complied with in all other respects but such generator may be used in this instance; that in all other respects, the building and occupancy shall comply with all other laws, rules and regulations applicable thereto.

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863-42-S.

APPLICANT—Eastern Building Corporation, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

APPEARANCES—

For Applicant: Monroe Chapin, George Masefield, William J. Goss, Joseph A. Morrissey, William L. Holm, Nathaniel G. Benchley, Alfred T. Vail and Leo Pillar.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (863-42-S)

Resolved, that the order of the fire commissioner, Order No. 16180-LF, Objection 11, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that panic bolts installed shall be of the approved type; that such panic bolts shall be installed only on the exits as herein proposed, and that all other exits shall either remain unlocked or a guard shall be posted at such exits at all times while the factory is in operation; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, and all existing violations shall be complied with; that this modification shall continue only so long as the building is occupied as proposed.

874-42-A.

APPLICANT—Abraham Farber, for Etched Products Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—43-01 to 43-21 39th street and 39-02 to 39-10 43rd avenue, southeast corner (Block No. 191, Lot No. 20), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Abraham Farber and S. Wilkenberg.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (874-42-A)

WHEREAS, Abraham Farber, for Etched Products Corporation, owner, filed on December 15, 1942, an appeal from a decision of the borough superintendent affecting premises 43-01 to 43-21 39th street and 39-02 to 39-10 43rd avenue, southeast corner (Block No. 191, Lot No. 20), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated December 14, 1942, on Alt. Applic. No. 1728-42, reads:

"1. Storage rooms for spraying materials do not conform to rule 6.1.3. Board of Standards and Appeals. Also storage in each room may not exceed 200 gallons. Rule 6.2 Board of Standards and Appeals."

and

WHEREAS, the applicant states that the building is one story (15 ft.) in height, 249.95 ft. by 100 ft. in area, of class 3 construction, equipped with a standpipe system, erected in 1929, located in an unrestricted use district and occupied: cellar—boiler room; 1st floor—public garage; proposed to be occupied: cellar—boiler room and storage; 1st floor—public garage, metal storage and manufacturing of etched metal products—75 persons; and

WHEREAS, the portion of the building, which is the subject of this appeal, is 125 ft. front by 100 ft. in depth, of class 3 construction, separated from the public garage portion by

an 8 in. brick fire wall and proposed to be equipped with sprinkler system; and

WHEREAS, the applicant contends that it is proposed to use the two existing interior fireproof block walled storage rooms, each 9 ft. by 16 ft. equipped with 3 ft. by 3 ft. fixed ventilating type of skylight glazed with plain glass, to store lacquer and thinners in steel drums five gallon sealed cans not to exceed 1,000 gallons in each such interior storage room; that the owner is the occupant of the adjoining two story fireproof factory building to the south and is engaged in 100% war work; that additional space was required in the early part of 1942 and a space 18 ft. 6 in. by 100 ft. in area in the garage building now in question, was leased and a connecting door cut in the garage wall opening on the yard of the adjoining factory building; that this space was separated from the balance of the garage by a 4 in. wall constructed of fireproof block and used for the storage of metal, under Alt. Applic. No. 1728-42; that in November 1942, additional space was secured in the garage building totaling a frontage of 125 ft. and separated from the garage by an 8 in. brick fire wall and plans filed under Alt. Applic. No. 1728-42, indicating the construction of the two storage rooms now in question; that it is now proposed to use these two storage rooms for the storage of lacquer and thinners; that the ceilings of these rooms will be fire-retarded and sprinkler heads installed; that it is necessary to use as much of the street lighted wall space for printing machines and the occupant is therefore forced to utilize the interior space for the storage of lacquers and thinners, since the efficiency of the plant will not permit the location of the lacquer storage rooms on the street wall; that the building will be fully sprinklered; that the two storage rooms will be provided with fixed ventilation through skylights; that the standpipe system will be maintained; that for these reasons it is requested that the Board grant a modification, so as to permit the use of these rooms for the storage of lacquer and to permit the storage of lacquer in each room not to exceed 1,000 gallons in sealed containers.

Resolved, that the decision of the borough superintendent on Alt. Applic. No. 1728-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* as to Objection 1, that the material proposed to be stored shall be stored within the storage rooms as proposed and constructed of 4 in. approved partitions, and fireproof doors thereto that such partitions shall extend to the underneath side of the roof boarding; that the ceiling shall be protected with approved asbestos board or equivalent material; that the ventilation may be by means of skylights, as proposed, of sizes not less than 5 ft. by 5 ft., with fixed ventilating louvres therein, open at all times; that the amount of material stored in such rooms may not exceed 1,000 gallons, as proposed; that the sprinkler system shall be installed and maintained to the satisfaction of the fire commissioner throughout the building, except for the garage portion which shall be separated by a wall from floor to roof, of masonry not less than 8 in. in thickness; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

875-42-A.

APPLICANT—American Industrial Jewels Corporation, lessee, for Nat Cohen and Harry Rosen, owners.

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—599 Tenth avenue, west side, 5 ft. north of West 43rd street (Block No. 1072, Lot No. 32), Borough of Manhattan.

APPEARANCES—

For Applicant: Dr. E. M. Huterer.
For Administration: Insp. Meyer, Fire Dep't.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn
Negative:

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THE RESOLUTION (875-42-A)

WHEREAS, American Industrial Jewels Corp., applicants and lessees, for Nat Cohen and Harry Rosen, owners, filed December 15, 1942, an appeal from an order of the fire commissioner, premises 599 Tenth avenue, west side, 50 ft. north of West 43d street (Block No. 1072, Lot 32), Borough of Manhattan; and

WHEREAS, Order No. 32680-LC, issued by the fire commissioner November 23, 1942, reads:

"Before a permit may be issued to maintain the storage and use of hydrogen and oxygen, the following must be done:

1. Have oxy-hydrogen furnace approved by the Board of Standards and Appeals. Sec. C19-93.0, Art. 17, Admin. Code.

2. Have each operator of oxy-hydrogen blow torch obtain a Certificate of Fitness. Sec. C19-93.0-B, Art. 17, Admin. Code."

and
WHEREAS, the applicant states the building is one story, (14 ft.) in height, 25 ft. by 49 ft. in area; of Class 3 construction; erected 1890; located in an unrestricted use district and occupied: 1st floor, factory, 8 persons; and

WHEREAS, the applicant contends that the furnaces have been manufactured exclusively for their own use; it is not proposed to sell any other furnaces for use by any one else; that the operators will apply for a certificate of fitness to the fire commissioner, if the Board approves the use of the furnaces in question.

Resolved, that the order of the fire commissioner, No. 32680-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to Objection 2, *on condition* that the certificate of fitness shall be obtained as required; that the tanks of oxygen shall be stored in the rear yard as proposed, with a proper rack to maintain same in upright position and that a manifold satisfactory to the fire commissioner shall be installed with satisfactory control device, so that no hydrogen shall be stored within the building; that such manifold and control equipment shall be installed within two months, meanwhile not more than two (2) cylinders of hydrogen shall be stored within the building and that such cylinders shall be equipped with controls satisfactory to the fire commissioner; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; that as to Objection 1 general approval by the Board of the proposed furnaces may be waived, provided as applicants state such furnace shall not be offered for general sale.

379-42-A.

APPLICANT—John D. Anderson, for Defense Plant Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—49-20 30th street, west side, 100 ft. south of Hunters Point avenue (Block No. 292, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Fred Dahlen, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (879-42-A)

WHEREAS, John D. Anderson, for Defense Plant Corporation, owner, filed December 16, 1942, an appeal from a decision of the borough superintendent; premises 49-20 30th street, west side, 100 ft. south of Hunters Point avenue (Block No. 292, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 28, 1942, re N. B. Applic. No. 1385-42, reads:

"1. The use in the fire limits, of roof beams 2 in. thick, is contrary to sec. 7.1.4 subsec. 7 of the Building Code.

2. The penthouse walls should be constructed of material having a fire resistive rating of 3 hours, and should be covered with roofing material (sec. 10.12.3).

3. The assumed working stress of 24000 lbs. per sq. in. for metal reinforcement, is excessive (sec. 7.4.3.4).

4. Gutters and leaders are required for every building (sec. 14.9.20).

5. The use of extra heavy vitrified clay sewer pipe is contrary to sections 14.3.12 and 14.3.13 of the Building Code."

and

WHEREAS, the applicant states the building will be one story (24 ft. 10 in.) in height, 59 ft. 8 in. by 176 ft. 8 in. in area, Class 3 construction; located in an unrestricted use district and used for the preparation of tin cans, 10 persons; and

WHEREAS, the applicant states further that in this building, tin cans will be prepared for detinning and subsequent recovery of tin and steel; that the building in question is one of a group which will constitute a detinning plant having a capacity to detin 60,000 tons of tin cans per year and recovery of 600 tons of tin and 59,400 tons of steel from the cans; that the plant is being constructed for the Defense Plant Corporation and is similar to others in different cities throughout the country, as part of the National Program for the recovery of steel and tin; that the building will have a floor area of 10,542 square feet, supported on creosoted wood piles with concrete caps and reinforced concrete beams and slabs framed between and supported on the caps; that exterior walls will be of concrete blocks with wood sash and doors; that interior columns and framing above floor level will be of wood with wood roof beams and gypsum plank roof deck covered with composition roofing; and

WHEREAS, the applicant contends as to item 1 of the borough superintendent's decision, that the wood roof beams, as shown on plans, provide the necessary structural strength to carry the super-imposed loads and were specified under instructions issued by the War Production Board for the use of minimum sized lumber; that permission is therefore requested to use the 2-inch thick roof beams, as proposed; that as to Item 2, that the portion of the building referred to as a pent house is a monitor such as is commonly used in industrial buildings of this type and will be built of the same kinds of material as the roof structure that supports it and it would not be feasible to construct this monitor of 3-hour fire-resistive construction; that as to Item 3, that Directive No. 9 of the W.P.B., directs that the design be based on emergency specifications which require a unit stress for reinforcing steel of 24,000 lbs. per sq. in.; that as to Item 4 of the order, that gutters have been omitted in accordance with instructions from the W.P.B.; that inasmuch as the building is supported on piles and is without basement, there will be no injury to foundations or foundation walls due to water draining from roof; that as to Item 5, that on filing the plans, it was proposed to use extra heavy vitrified sewer pipe, that subsequent to the issuance of the borough superintendent's decision, instructions have been issued by the W.P.B. to the effect Victory weight cast iron pipe should be used in place of extra heavy vitrified pipe, as proposed; that the use of this Victory weight pipe is contrary to some sections of the Code, as stated in Borough Superintendent's decision.

Resolved, that the decision of the borough superintendent on N. B. Applic. No. 1385-42, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* as to Objection 1, that no roof beams shall be used that are less than 2 in. commercial thickness; that the supports for such beams shall be satisfactory to the borough superintendent; as to Objection 2, that such pent house walls may be constructed as proposed; as to Objection 3, that work-

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ing stress as proposed shall be applicable only to metal reinforcement in connection with foundations and lintels provided the concrete used shall have a compression strength of 3,500 p.s.i. at the end of 28 days; as to Objection 4, that gutters and leaders may be omitted in view of the proposed type of use, absence of cellar and isolated location; as to Objection 5, that extra heavy vitrified clay sewer pipe may be used or Victory weight cast iron pipe may be used in place of pipe, as required by the Code; that the above modifications are permitted on the understanding that the building shall be continued only during the term of the present emergency and for one (1) year thereafter, and shall be thereafter completely removed and that proper surface drainage shall be provided.

880-42-A.

APPLICANT—John D. Anderson, for Defense Plant Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—49-26 30th street, west side, 100 ft. south of Hunters Point avenue (Block No. 292, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (880-42-A)

WHEREAS, John D. Anderson, for Defense Plant Corporation, owner, filed December 16, 1942, an appeal from a decision of the borough superintendent; premises 49-26 30th street, west side, 100 ft. south of Hunters Point avenue (Block No. 292, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 30, 1942, on N. B. Applic. No. 1386-42, reads:

"1. Area of building is excessive for class 3 construction, Sec. 4.2.1 B.C. area of building is 26,300.

2. Plans of building show portions of walls to be of frame construction same is contrary to requirements of Sec. 3.2.3, B.C.

3. Structures above roof must comply with Sec. 10.12.1 B.C. and be of incombustible materials, note, bulkhead structure.

4. Use of wood beams less than 3" thick is contrary to Sec. 7.1.4 B.C. also plywood for stiffening connection.

7. Use of standard cast iron sewer pipe is contrary to the requirements of Sec. 14.3.12 B.C. and Sec. 14.3.13 B.C.

8. Allowable stresses must be within the requirements of Sec. 7.4.3.4, B.C. see note steel stress 24,000# per sq. in. also Sec. 7.4.7 B.C. lumber stresses horizontal shear.

9. Live loads must comply with Sec. 7.3.2.3 B.C. 120# per sq. in. minimum.

11. Gutter and leaders must be provided as per Sec. 14.9.20 B.C. Same must be of incombustible materials Sec. 10.12.13.1 B.C."

and

WHEREAS, the applicant states that the building will be one and two stories (57 ft. 6 in.) in height, 184 ft. by 177 ft. 4 in. in area; Class 3 construction; located in an unrestricted use district and used and occupied as follows: 1st floor, detinning tin cans and reclaiming of tin, 15 persons; 2nd floor, same, 5 persons; and

WHEREAS, the applicant states further that the building will be one of a group constituting a tin can detinning plant and that the detinning and chemical building is one

in which tin cans are detinned and in which the tin and steel scrap will be recovered; that this plant is described under Cal. No. 879-42-A; that this building will be divided into two departments, consisting of the Detinning Dept. and the Chemical Dept.; that the Detinning Dept. portion will be one story in height and will have an area of 19,010 sq. ft.; that the Chemical Dept. portion will be partly one story and partly two stories in height and will have a floor area of 9,570 sq. ft.; that the entire floor area combined of both portions will be 28,580 sq. ft.; that the building will be supported on creosoted wood piles with concrete caps and on reinforced concrete beams and slabs framed between and supported on the caps; that there will be no basement; that exterior walls are to be on concrete blocks with wood sash and wood doors; that interior wall separates the detinning dept. from the chemical dept. and other interior walls will be of concrete blocks; that the largest interior area so enclosed will be 17,378 sq. ft.; that interior columns to general roof level will be of reinforced concrete and/or wood; that roof beams will be of wood with gypsum plank roof deck covered with built-up composition roofing; and

WHEREAS, the applicant contends, as to item 1 of the decision, that it would be impractical from an operating standpoint, to separate the building into smaller units; that the building was designed under War Production Board emergency specifications and under directives limiting the use of critical materials; that under these specifications and directives, it was impossible to design the building so that it would come under a Code classification, permitting the necessary areas; that as to Item 2 of the decision, that the walls referred, to enclose a tower-like structure that rises above general roof level and encloses the operating equipment; that this tower is set back about 35 ft. from exterior walls at the end of the building at which it will be located; that these tower walls are of the same type of construction as other portions of the building above general roof level, and it would not be feasible to build them of fire-resistive materials having a rating of 3 hours; as to item 3, that the portion of the building referred to in this objection is the structure above the roof in the Detinning Dept. and such structure is what is commonly described as a monitor and is designed to be built with the same kinds of material as the roof structure that supports it; that this objection also refers to a structure above the roof in the Chemical Dept., which is of similar construction; as to item 4, that the roof beams which are 2 in. thick, provide the necessary structural strength to carry safely the superimposed loads and were specified under mandatory instructions by the W.P.B.; that where plywood is shown on plans, it is proposed to be used for stiffening purposes and the safety of the building from the structural standpoint is not dependent upon such stiffness; that as to Item 7, that since this objection was issued, it was found necessary to substitute Victory weight cast iron pipe in accordance with instructions received from the W.P.B.; that as to item 8, that a unit stress of 24,000 lbs. per sq. in. for reinforcing steel, was used in accordance with W.P.B. Directive No. 9 and 100 lbs. p.s.i. horizontal shear stress for lumber was used in accordance with instructions issued by the W.P.B.; as to item 9, that the second story of this building is not a floor in the usual meaning of the term, but consists of platforms, walkways and decks to provide the plant operators with means of access to process equipment for control, inspection and maintenance purposes; that it would be virtually impossible to load these platforms, walkways and decks to the load for which they have been designed; that a liveload of 120 lbs. in compliance with the Code would be excessive under the conditions and its application would be contrary to instructions of the W.P.B. to save critical materials; that as to item 11, that gutters have been omitted, in accordance with instructions from the W.P.B.; that the building is supported on piles and is without a basement and therefore there can be no injury to foundations or foundation walls due to water draining from the roof.

Resolved, that the decision of the borough superintendent on N. B. Application No. 1386-42-A, be and it hereby is modified and that the appeal be and it hereby is granted on

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condition as to Objection 1, that the building shall not be increased in height or area; as to Objection 2, that roof superstructures may be constructed of frame construction satisfactory to the borough superintendent; as to Objection 3, that monitor superstructures above the roof may be constructed of combustible materials satisfactory to the borough superintendent; as to Objection 4, that such material as proposed for stiffening connections shall be as approved by the borough superintendent; as to Objection 7, that Victory weight cast iron pipe may be used for other weights as required under Sections 14.3.12 and 14.3.13 of the Building Code; as to Objection 8, that stresses for steel as proposed, may be used provided such steel is used only for foundations, lintels, columns, beams and supports of interior equipment, provided the concrete used shall have a compressive strength of 3,500 p.s.i. at end of 28 days; as to Objection 9, that live loads shall comply with the requirements therefor, except that balconies, maintenance platforms and walkways at different elevations shall have a live load of not less than 75 lbs., provided no equipment or material is stored thereon; as to Objection 11, that gutters and leaders may be omitted in view of the proposed type of use and absence of cellar and isolated location; that the above modifications are permitted on the understanding that the building shall be continued only during the term of the present emergency and for one year thereafter, and shall be thereafter completely removed and that proper surface drainage shall be provided.

881-42-S.

APPLICANT—John D. Anderson, for Defense Plant Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent.

PREMISES AFFECTED—49-26 30th street, west side, 100 ft. south of Hunters Point avenue (Block No. 292, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John D. Anderson.

For Administration: Fred Dahlem, Dep't of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (881-42-S)

WHEREAS, John D. Anderson, for Defense Plant Corporation, owner, filed December 16, 1942, an application for variation of the labor law as cited in a decision of the borough superintendent; premises, 49-26 30th street, west side, 100 ft. south of Hunters Point avenue (Block No. 292, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated November 30, 1942, re N. B. Applic. No. 1386-42, reads:

"6. Required exits must comply with the requirements of Sec. 270-4 of the labor law. Note chemical building."

and

WHEREAS, the applicant states that the building will be one and two stories (57 ft. 6 in.) in height, 184 ft. by 187 ft. 4 in. in area; Class 3 construction; located in an unrestricted use district and used and occupied as follows: 1st floor, detinning of tin cans and reclaiming tin, 15 persons; 2nd floor, same, 5 persons; that building will be equipped with a sprinkler system and two interior 44 in. wide stairs; and

WHEREAS, the applicant states further that it is the same building referred to in appeal filed under Cal. No. 880-42-A; and

WHEREAS, the applicant contends, as to item 6 of the borough superintendent's decision, that it is not intended

that the stairs referred to in the objection be regarded as required exits or used as such, as the upper levels which these stairs serve, are merely platforms, walkways and decks to provide plant operators with means of access to process equipment for control, inspection and maintenance purposes; that operators will not be required to be on these upper levels during the day; that ladders could be made to serve the purpose, but stairs were provided to permit better working conditions and to secure more efficient plant operation; that under routine operation, no more than 20 employees will be in the building at any one time and of these not more than 5 will be above the ground floor level; that under these conditions it is believed the stairs in question provide ample exit from the 2nd story level.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law as cited in a decision of the borough superintendent, acting on N. B. Applic. No. 1386-42, and that the application be and it hereby is granted on condition as to Objection 6, that all exits shall comply with the requirements therefor, except in connection with the maintenance platforms and walkways, at varying heights, in the portion of the premises marked "Chemical Building", provided the number of persons on such platforms shall at no time exceed ten (10), and adequate means for escape, in at least two directions from each operating station, shall be provided satisfactory to the borough superintendent; that the requirements of resolution adopted this date under Calendar Number 880-42-A shall be complied with; that the above modifications are permitted on the understanding that the building shall be continued only during the term of the present emergency and for one year thereafter, and shall be thereafter completely removed.

886-42-S.

APPLICANT—John Maynard, for Steinway and Sons, owner (General Aircraft Corporation, lessee).

SUBJECT—Variation of the labor law as cited in a decision of the fire commissioner.

PREMISES AFFECTED—45-02 Ditmars boulevard, southwest corner of 47th street (Building C); (Block No. 769, part of Lot No. 1), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: John Maynard.

For Administration: Thomas A. Larkin, Fire Dep't.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (886-42-S)

WHEREAS, John Maynard, for Steinway and Sons, owner (General Aircraft Corporation, lessee), filed December 18, 1942, an application for variation of the requirements of the Labor Law as cited in a decision of the fire commissioner, affecting premises 45-02 Ditmars boulevard, southwest corner of 47th street (Building C); (Block No. 769, Part of Lot No. 1), Astoria, Borough of Queens; and

WHEREAS, the decision of the fire commissioner, dated December 11, 1942, reads:

"In response to your communication of December 3rd, you will please be advised that your application for permission to smoke in the office section of the factory building located at the above mentioned premises must be denied.

Smoking is prohibited in these premises by provisions of the Labor Law and the Rules of the Board of Standards and Appeals."

and

WHEREAS, the applicant states the building is five stories and basement, 63 ft. by 200 ft. in area; of Class 3 construction; located in an unrestricted and business use district; erected about 1900 and is occupied as follows: east wing,

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which is the wing in question,—basement, boiler room, machine shop and storage, 12 persons; first floor, vacant; second floor, vacant; third floor, manufacturing and repair of gliders, 8 persons; fourth floor, manufacturing gliders, 150 persons; fifth floor, spray booth, 3 persons; pent house, center wing, drafting, 4 persons; that no change in use or occupancy of the east wing is proposed, except that the first floor, which is now vacant, will be used for office and storage, 70 persons; that the west wing is used as follows: basement, boiler room, machine shop, 12 persons; first floor, office and loading platform, 30 persons; second floor, repair and storage of pianos, 4 persons; third floor, manufacturing pianos, 8 persons; fourth floor, vacant; fifth floor, vacant; pent house, drafting room and research, 4 persons; that no change in use or occupancy is proposed for the basement, first, second or third floors in the west wing; that the fourth story will be changed to factory, with an occupancy equal to the capacity of the exits and the fifth floor will be changed to factory, with an occupancy equal to the capacity of the exits; that the building is equipped with four fireproof stairs leading from roof to yard; that the building is sprinklered and equipped with a standpipe system and interior alarm system and that fire drills are not maintained; and

WHEREAS, the applicant contends that application is made for permission to smoke in the office portion in the east wing of the first story, as indicated on drawings filed with this application; that this plant is operating 20 hours a day; that the office employees work long hours and it is necessary to permit smoking in order to relieve nervous strain and obtain a high degree of efficiency; that this office portion is separated from the balance of the plant by 16 in. brick walls, equipped with double fireproof doors; that the office partitions are so arranged as not to interfere with the operation of the sprinkler system; that the office is adequately ventilated and contains no combustible material except correspondence and records, etc.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirements of the Labor Law, as cited in a decision of the fire commissioner dated December 11, 1942, and that the application be and it hereby is granted on condition that no smoking shall be permitted in any part of the factory, except the space on the first floor east wing, as indicated on plans filed with this application and marked "Received December 18, 1942" and occupied only for executive offices and clerical force; that signs shall be conspicuously maintained, informing all persons smoking shall not be permitted elsewhere than in the confines of this space; that the partitions, as proposed separating this portion of the building from the remainder, shall be maintained to the satisfaction of the fire commissioner; that in all other respects, the building and occupancy shall comply with all laws, rules and regulations applicable thereto, other than as modified by the Board under Cal. No. 807-42-S.

APPLIANCES AND MATERIALS SUBMITTED FOR APPROVAL.

1120-38-SM.

APPLICANT—Fischer Column Company, for W. P. Fischer, owner.

SUBJECT—Fischer Column (Steel Shell Concrete Filled Columns), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

274-41-SM.

APPLICANT—O. S. Doolittle, owner

SUBJECT—Phoenix Flameproofing Compound (for flameproofing fabrics), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

417-42-SM.

APPLICANT—Alpha Tank Company, Incorporated, owner; Adolph G. Kraus, agent.

SUBJECT—Application for consideration—reopening and amendment of resolution re Alpha New York City Gasoline Storage Tank, 110 gallon, 275 gallon, 1080 gallon, 2000 gallon and 5000 gallon, approval of (previously approved re Alpha 550 Gallon Cylindrical Gasoline Storage Tank).

APPEARANCES—

For Applicant: Adolph G. Kraus.

ACTION OF BOARD—Application reopened and referred to the Committee on Tests for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

260-41-SM.

APPLICANT—Ashland Chemical Company, for Morris Z. Britton, owner.

SUBJECT—The Ashland Process (compound for flameproofing and fire-retarding lumber), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (260-41-SM)

WHEREAS, the Ashland Chemical Company, for Morris Z. Britton, owner, filed on March 27, 1941, an application with the Board of Standards and Appeals, for the approval of the material known as the Ashland Process (compound for flameproofing and fire-retarding lumber); and

WHEREAS, the applicant failed to provide a test of this material, although duly notified to do so.

Resolved, that the application be and it hereby is dismissed for lack of prosecution.

94-39-SM.

APPLICANT—Western Concrete Pile Corporation, owner.

SUBJECT—Drilled-In Caissons as installed by the Drilled-In Caisson Corporation, approval of.

APPEARANCES—

For Applicant: W. P. Barrett.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (94-39-SM)

Note: The action of the Board on this application, together with the report of the Committee on Tests, will appear in the Bulletin of January 5, 1943.

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488-42-SM.

APPLICANT—New York Trap Rock Corporation, owner.
SUBJECT—Verplanck Limestone, New York Trap Rock Corporation, approval of.

APPEARANCES—

For Applicant: Edward B. Kirby.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (488-42-SM)

WHEREAS, the New York Trap Rock Corporation, owner, filed on June 17, 1942, an application with the Board of Standards and Appeals for approval of the material known as Verplanck Limestone; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 21, 1942.

Re: Cal. No. 488-42-SM.

Subject: Verplanck Limestone.

The New York Trap Rock Corporation of New York filed on June 6, 1942, with the Board of Standards and Appeals an application under the requirements of Section C26-178.0.b of the Administrative Building Code for approval of its materials known as Verplanck Limestone for use in New York City under the pertinent provisions of the Administrative Building Code.

Verplanck Limestone is quarried at the applicants' plant at Verplanck, New York. There are no stripping operations required because the top of each new quarry face was previously a quarry floor.

Drilling

Two Bucyrus Well Drills with 65/8" diameter bits do all the necessary drilling. Holes are bailed out from time to time and by careful inspection the driller can tell when he runs into pockets or dirt or bad rock. These are noted in his Daily Reports, enabling the Quarry Superintendent to control the quality of his output.

Blasting

Dupont's Nitramon "B", contained in cans 5 1/2" in diameter and 24" long, is used for blasting. These cans of powder are set off with the help of special detonators, which in addition to containing powder also contain a little silken bag of T.N.T. By means of an electric spark, the T.N.T. is set off, and in turn discharges the powder.

Transportation to Crusher

The stone is loaded into Chevrolet trailer trucks which haul it to the crusher, which is on another level 60 ft. higher than the quarry floor. The road to the crusher has a 10% up-grade, and the trucks cannot make it on their own. They are given assistance by two Dinky or Barney Cars. These weigh about 800 lbs. each and run on rails in the center of the road. At the top of the incline is a pair of stationary electric hoists from which cables run down to the Barneys. As the truck starts up the grade, an electric eye flashes the signal to the engineer in control of the hoisting engines. He then pulls the Barney car up in back of the truck. Using its own power, aided by the Barney and hoist, the truck makes the grade.

Crushing

Crushing is done with a Bull Dog Jaw Crusher made by the Traylor Engineering Company of Allentown, Pennsylvania. All pieces over 3" in diameter are scalped out and recrushed by a gyratory crusher to the proper sizes.

Screening

The stone is carried by conveyor belts to the screening building where it is separated into the following sizes: 1 1/2", 1 1/4", 3/4", 5/8", 3/8" and Screenings.

Blending, Washing and Loading

The straight sizes of stone are stored in silos. When orders come through they are rebled to meet the individual specification. The stone is next carried to a wash house where it is baffled back and forth and thoroughly washed with water under pressure. Finally the stone is loaded on barges capable of carrying from 600 to 700 cubic yards and carried down the Hudson River to their respective markets.

Testing

To insure all boat loads of stone meeting specifications, the New York Trap Rock Corporation has its own testing laboratory where their men tests each blended boat load of stone to make sure that it meets the desired specification. A test is made as soon as the boat starts loading, and should the stone be slightly off in sizing, adjustments can immediately be made to correct this. Normally, three to five check tests are made on each boat to insure accuracy.

Pulverized Limestone

This quarry has a special product, namely, Pulverized Limestone. It is obtained by taking the waste screenings which contain no particles over 1/8" in diameter, drying them in vast rotary cylinders, and then pulverizing them. The actual pulverizing is done in a Com-Peb Mill which contains thousands of round and concubes balls. These balls do such a thorough job that the resulting product has a consistency similar to talcum powder. The limestone is packed into either cloth or paper bags by a Bates bagging machine and then conveyed to covered barges for transportation. A fair share of this limestone is also loaded in bulk into water tight barges.

Tests.

Samples of this material were submitted to tests by the Haller Engineering Associates, Inc., Report #55270, with results as follows:

Analysis.

Passing	%	Required ASTM C33-39
1 1/2"	100.0	100
1"	100.0	90—100
3/4"	69.6	
1/2"	36.9	25—60
3/8"	5.1	
#4	0.3	0—10
Los Angeles Abrasion	37.2%	
Soft Fragments	None	2—5

Recommendations.

On the basis of the foregoing data the Committee on Tests recommends the approval under Section C-26-191.0 of the Administrative Building Code of Verplanck Limestone for use in New York City under the pertinent provisions of the Administrative Building Code under the following requirements:

1. That each scow destined for use in New York City shall be accompanied by a delivery slip stating in addition to the source of material, the gradation, and it shall bear the following stamp or label thereon: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 488-42-SM", and that each truck delivery slip shall be similarly stamped by the dealer.

2. That samples shall be taken pursuant to accepted practice from each scow destined for New York City and a record kept of the resulting test for gradation.

3. That at least once each month a composite report of tests made pursuant to the above requirements

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shall be forwarded to the Board and certified by the applicant's representative.

4. That when used, these aggregates shall comply with the requirements of Paragraph C of Section C26-315.0 of the Administrative Building Code.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Verplanck Limestone, *on condition* that the material be manufactured and labelled, stamped or tagged in accordance with above report.

56-41-SM.

APPLICANT—The Richmond Fireproof Door Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Richmond One and One-Half Hour Flush Kalamein Fire Door, previously approved.

APPEARANCES—

For Applicant: G. S. Nobles.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (56-41-SM)

WHEREAS, the Richmond Fireproof Door Company, owner, filed January 20, 1941, an application with the Board of Standards and Appeals for approval of the material known as the Richmond One and One-half Hour Flush Kalamein Fire Door; and

WHEREAS, this material was approved by the Board on March 11, 1941, on certain conditions and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of March 11, 1941, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Richmond One and One-Half Hour Flush Kalamein Fire Door, *on condition* that the material be manufactured, installed, labelled, stamped or tagged in accordance with the report of March 6, 1941 and *that during the term of the emergency, the doors as herein approved may be of uncoated metal, painted red lead on both sides provided that in all other respects, the requirements of the approving resolution shall be complied with.*"

492-40-SM.

APPLICANT—The Richmond Fireproof Door Company, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution—re Fyrgard C N. Y. C. Three-Hour Metal-Clad Three-Ply Metal Door, previously approved.

APPEARANCES—

For Applicant: G. S. Nobles.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (492-40-SM)

WHEREAS, The Richmond Fireproof Door Company, owner, filed May 8, 1940, an application with the Board of Standards and Appeals for approval of the material known as the Fyrgard C N.Y.C. Three-Hour Metal-Clad Three-Ply Door; and

WHEREAS, this material was approved by the Board on October 15, 1940, on certain conditions, resolution amended on February 3, 1942 and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution of October 15, 1940, as amended February 3, 1942, so that as amended, the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Fyrgard C N.Y.C. Three-Hour Metal-Clad Three-Ply Door, *on condition* that the material be manufactured, installed, labeled, stamped or tagged in accordance with the reports of September 3, 1940 and January 19, 1942 and *that during the term of the emergency, the doors as herein approved may be of uncoated metal, red lead painted on both sides provided that in all other respects, the requirements of the approving resolution shall be complied with.*"

Adjourned: 6:00 P. M.

JOSEPH J. DOYLE, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held on December 8, 1942, as they appeared in Bulletin Vol. 27, No. 50, are hereby corrected to read as follows:

THE RESOLUTION (487-42-SM)

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as *Haverstraw* Trap Rock (Concrete Aggregate) as produced by the New York Trap Rock Corporation, *on condition* that the material be manufactured and labelled, stamped or tagged in accordance with above report.

*Correction—The word "Harvester" changed to *Haverstraw* in resolution.

443-41-SA.

APPLICANT—Metallizing Company of America Incorporated, owner.

SUBJECT—Mogul Metal Spray Gun, approval of.

APPEARANCES—

For Applicant: V. A. Cook and William H. McMahon.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners
Savage and Blum and Deputy Chief Gunn 4
Negative: 0

THE RESOLUTION (443-41-SA)

WHEREAS, the Metallizing Co. of America, Inc., owner, filed on May 14, 1941, an application with the Board of

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Standards and Appeals for approval of the appliance known as the Mogul Metal Spray Gun; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

November 16, 1942.

Re: Cal. No. 443-41-SA.

Subject: Mogul Metal Spray Gun, approval of.

The Metallizing Company of America, Inc., filed on May 14, 1941 an application with the Board of Standards and Appeals for approval of the Mogul Metal Spray Gun under the provisions of C19-93.0, Administrative Code.

Description.

The Mogul Metal Spray Gun is an oxy-acetylene-air blowpipe designed for spraying molten metal. It is used for applying a metal coating to the surface of other metals, wood, cloth, paper or other materials requiring a protective or ornamental coating of metal. It is made in two models, A and B, differing only in the gear ratio of the mechanism feeding the wire through the device.

ASSEMBLY:

The device consists of a body in which is housed the wire feed mechanism; a gas head to which are connected the supply hose lines feeding oxygen, acetylene and air to the device and embodying the gas-mixing passages; a control valve which controls the flow of gases; a nozzle cap; a nozzle tip and a handle.

The mixture of oxygen and acetylene burns at the tip, through the center of which is fed the wire to be melted and sprayed. The compressed air supply drives the air turbine which operates the wire feed mechanism and also sprays the molten metal at the tip. The wire is fed through the body from the rear end. The handle may be replaced by a fitting for mounting the device in a machine tool holder.

CONSTRUCTION DETAILS:

Body—The body is an aluminum-alloy casting which embodies the air turbine wheel, the worm reducing gear and the wire feed rolls. The upper feed roll and gear are attached to a hinged arm having a pressure regulating screw, spring and knurled nut arrangement for applying and regulating the drive roll pressure on the wire which controls the feed through the device.

Gas head—The oxygen and gas connections are right and left-hand threads, respectively, to prevent interchange of the hose lines. The gas head is a bronze casting embodying the gas passages. The tapered control valve fits into the correspondingly tapered opening in the head casting. The wire nozzle is secured firmly against the front of the gas head by a nut bearing against the nozzle flange. The nozzle is covered by the cap and the adjustable tip, both of which are made of bronze.

The appliance has been approved by the Underwriters' Laboratories, Lab. File No. SA711 filed herewith. The appliance was inspected and tested at the Brodie System Plant, 115 Clifton place, Brooklyn, New York, on October 30, 1942. Present at this test were representatives of the Committee on Tests of the Board and of the Division of Combustibles of the Fire Department. The appliance was found to meet all tests as to its proposed use and safety; there were no flare backs and no over-heating or danger of fire to surrounding materials from sparks and the device was under complete control of the operator at all times.

Recommendations.

On the basis of this test and the report of the Underwriters' Laboratories, it is recommended that the Mogul Metal Spray Gun be approved for use in New York City, when installed and operated in accordance with this report and with the requirements of C19-93.0, Administrative Code provided the appliance has a label

permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 443-41-SA" or in lieu thereof a stamp bearing the following inscription within a $\frac{3}{4}$ " circle: around the periphery, at the top, the word APP'VD.; along the bottom, B. S. & A.; in the center, two lines, upper line reading N. Y. C., lower line reading, Cal. No. 443-41-SA.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this appliance.

Resolved, that the Board of Standards and Appeals does hereby approve the appliance known as the Mogul Metal Spray Gun, on condition that the appliance be manufactured and labelled, stamped or tagged in accordance with the above report.

681-42-SM.

APPLICANT—Bird and Son, Incorporated, owner.

SUBJECT—Bird Insulated Siding, Bric Design, approval of.

APPEARANCES—

For Applicant: Frank P. Reynolds.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners

Savage and Blum and Deputy Chief Gunn 4

Negative: 0

THE RESOLUTION (681-42-SM)

WHEREAS, Bird and Son, owner, filed on September 17, 1942, an application with the Board of Standards and Appeals for approval of the material known as Bird Insulated Siding, Bric Design; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests reads:

REPORT OF COMMITTEE ON TESTS.

December 1, 1942.

Re: Cal. No. 681-42-SM.

Subject: Bird Insulated Siding, Bric Design—Approval of.

Bird & Son, Inc., of East Walpole, Mass., filed on September 17, 1942, with the Board of Standards and Appeals, an application under the requirements of Section C26-178.0, b of the Administrative Building Code for approval of its material known as Bird Insulated Siding, Bric Design, for use in New York City under the pertinent provisions of the Administrative Building Code.

Description

Bird Insulated Siding, Bric Design is normally used as a siding finish over wood sheathing and as a resurfacing material over wood clapboards or wood shingles. The insulating board used as a base is a $\frac{1}{2}$ " fibre board (also manufactured by the applicant) surface-saturated to a depth of $\frac{1}{16}$ " or more on all surfaces with a hard asphalt at the rate of 40# per hundred square feet. This saturated board is then fed into a magazine which automatically supplies the saturated board to an endless belt, which carries the product through the Insulated Bric machine. A mineral rein-

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forced bitumastic coating having a melting point of 227° F. is uniformly applied to the weather side of the saturated board. Colored mineral granules of igneous (Rhyolite) rock, commonly known as trap rock, coated with a sodium aluminum silicate fused to the surface thus giving a ceramic coating, or other permanently colored mineral granules, are applied to this hot coating from the many different hoppers containing the same or different colored granules. The granule surfacing is gradually, uniformly and firmly embedded into the asphalt coating while the board passes through six sets of squeeze rolls with openings which become smaller as the board progresses from one set to the next. The completely surfaced board next passes under a cold embossing roll which makes the wire drawn brick design on selected bricks. A heated embossed roll forms the recessed mortar line. The boards then pass through a cooler before they are inspected and packed. Besides the brick panels, the base course, 4" trim, and belt course panels are also made on the machine as described above. Corner trim is first made as described above, then the flat pieces are cut to the desired size and carefully bent to form the corners. The finished siding is designed to simulate the appearance of different types of natural brick.

The Brick Panels and Belt Course are 43" x 14" and are packed 12 pieces per carton. Two cartons, or 24 pieces are sufficient to cover one square (100 square feet). The Base Course comes in pieces 34½" x 8" and is packed 12 pieces per carton or sufficient to cover 34½ lineal feet. The 4" trim is 33½" x 4" and is packed 12 pieces to a carton, sufficient to cover 33½ lineal feet. The Corners are angular pieces, approximately 4¼" on a side and 13⅞" long and are packed 29 pieces per carton, which cover 33½ lineal feet.

The approximate weights of the above Insulated Siding and Accessories are as follows:

Brick Panels—	210 lbs.	per square
Belt Course—	210 "	" "
Base Course—	54 "	" " carton
4" Trim —	28 "	" " "
Corner Trim—	60 "	" " "

The brick panels are applied to side walls by means of 1¼"-2" nails over old siding and with 1¼"-1½" nails over sheathing.

The Committee on Tests has carefully examined samples of this material filed with the application and finds that they are as described above and well suited to the purpose.

Recommendations.

On the basis of the foregoing data, the Committee on Tests recommends the approval under Section C26-191.0 of the Administrative Building Code of Bird Insulated Siding, Brick Design for use as a siding finish over wood sheathing and as a resurfacing material over wood clapboards in class 4 construction outside the fire limits, and for use where legally permitted for replacements within the fire limits, under Section C26-248.0 of the Administrative Building Code. All cartons in which this material is packed for use in New York City shall be marked, labelled or stamped "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 681-42-SM".

Note: The applicant is requested to file an application for approval of the basic fibre board.

(Sgd.) BERNARD A. SAVAGE,
Commissioner,

CHARLES M. BLUM,
Commissioner,

LESLIE V. HUBER,
Chief Engineer,
Committee on Tests.

and

WHEREAS, this report recommended the approval of this material.

Resolved, that the Board of Standards and Appeals does hereby approve the material known as Bird Insulated Siding, Brick Design, on condition that the material be manufactured, installed and labelled, stamped or tagged in accordance with above report.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the Board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the Board, each case being set down by Calendar Number and the premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the

offices of the Board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the Board is to dispose of all cases promptly; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

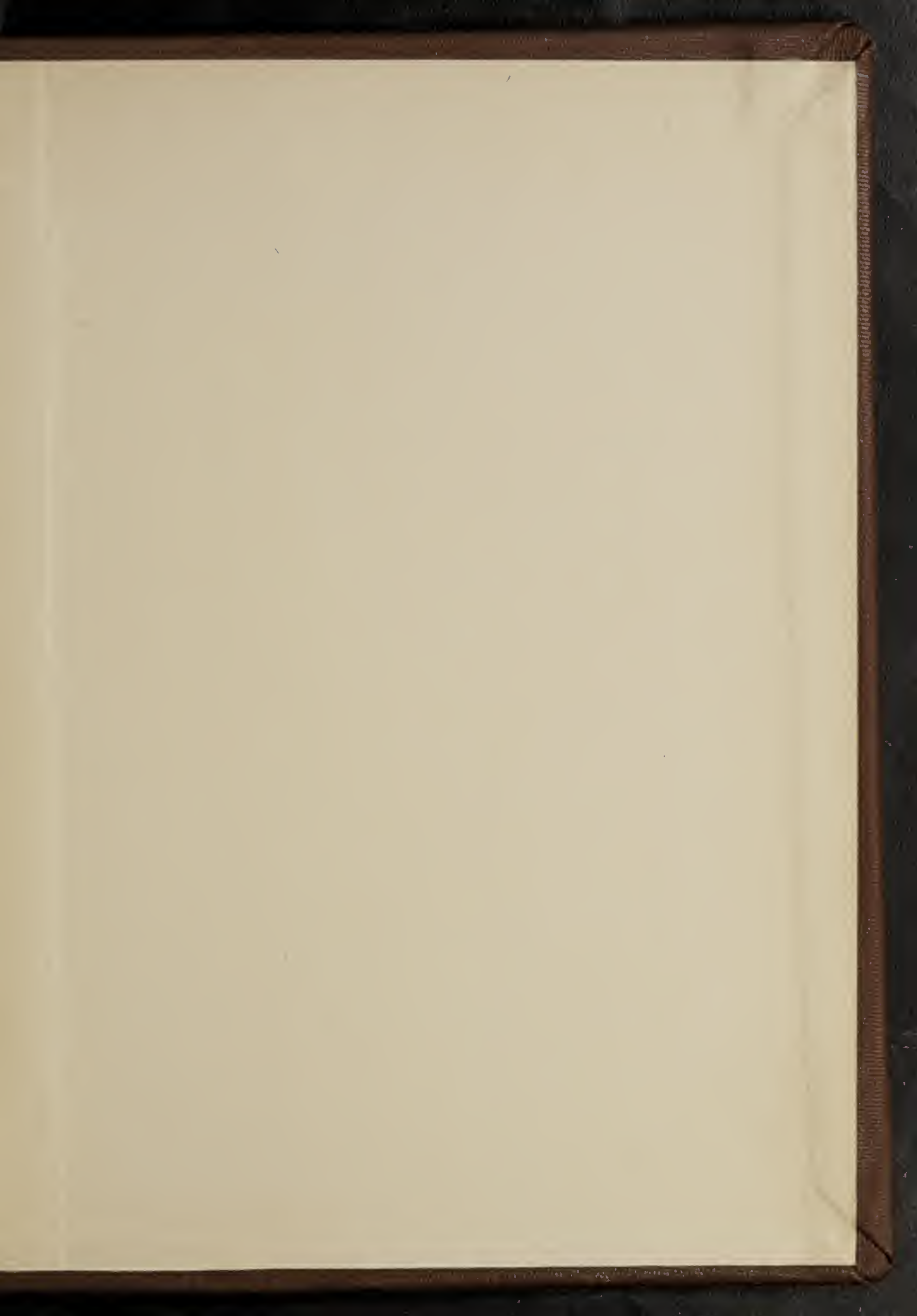
Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

FORMS FOR NOTICE TO PROPERTY OWNERS

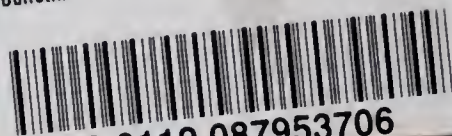
Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such

copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.



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